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*Memorial from Vol 1  
25*

## **Report of the Committee**

APPOINTED BY THE SAN FRANCISCO MEDICAL BENEVOLENT SOCIETY

### **ON NECROLOGY**

UPON THE DEATH OF THEIR LATE CONFRÈRE

**Frederick J. Zeile, M. D.**



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San Francisco  
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1884.

САМЫЕ  
УДАЧНЫЕ ЭТАПЫ

## REPORT.

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*To the President and Members of the San Francisco Medical Benevolent Society:*

Your committee appointed to take appropriate action regarding the death of DOCTOR FREDERICK J. ZEILE, one of the earliest members of this society, beg to present the following biographical memoir of our late *confrère*.

Your committee regret that the want of accessible detail to illustrate the early life of this most remarkable man, has prevented this sketch from being as complete as could have been desired.

DOCTOR FREDERICK J. ZEILE was born April 14, 1809, in Reutlingen, Kingdom of Wurtemberg, (before the German Confederation). He pursued a full course of classics in the schools of his native town, graduating with the highest honors. He then entered the Universities of Tubingen and Heidelberg, where he greatly distinguished himself in his student life, graduating in medicine in 1835, and successfully passing his State examination in 1837. The subject of his graduating Thesis was "On the Resection of Bones," which attracted special attention in surgery at the time, both at home and abroad, from the then new and original studies, dissection and demonstrations, therein con-

tained. This class of operations in conservative surgery rapidly grew in favor from the signal success that attended them; and his government gave public recognition to his scientific qualifications by the presentation of a gold medal. He was further delegated at the government expense to visit the leading hospitals of Europe for observation and study in the interest of medical science, and he so well acquitted himself of the duties imposed upon him, that, on his return, he was at once established among the leading medical men of his day, and received his appointment as one of the physicians of the Royal family; and especially enjoyed the patronage of the Duchess of Newberg, the sister of the King of Wnrtemberg. He was then appointed to the staff of the Catharinen Hospital at Stuttgart, one of the best appointed free hospitals at that time existing in Germany. In his connection with this institution he established a Chair in "Orthopedic Surgery," and elevated into a specialty, a branch of surgery which hitherto had been completely neglected, or considered of minor interest and importance in the profession. Here, also, he continued his investigations, altogether original, on the modifying influence of the "Bath" in its varied forms, on diseased conditions of the human body, and in its relation to Hygiene and Therapeutics; and which he finally developed into a system, as an important adjunct in skillful hands for the successful

treatment of the invalid. The prominence which the "Bath" has taken in the clinique of modern schools, especially in German cities, and the larger centers of population in Europe, is, without question owing to his early labors in this direction.

In 1847, when thirty-eight years of age, on account of seriously-failing health, and especially political entanglements, he was compelled to bid farewell to his Fatherland, and took up his residence in London, where, with his customary energy, he established a private hospital in connection with general practice. After a year's residence in London, the climate not agreeing with him, he was again admonished to make a change; on this occasion crossing the Atlantic and settling in Baltimore, having previously donated his private hospital to the German Benevolent Society of the City of London. After some months' of successful practice in Baltimore, he had an attack of yellow fever, and a change of climate again became necessary to reëstablish his convalescence. Carried away by the public excitement connected with the discovery of gold in California, he found himself in company with thousands of adventurers on his way there, and after a compulsory detention of several weeks at the Isthmus of Panama, finally succeeded in reaching San Francisco in 1849.

The great amount of sickness and mortality, in fact of disaster of every color, that attended the early

immigration to California, *via* the Panama and Nicaragua Isthmuses, is still fresh in our minds. During his involuntary imprisonment at Panama, he distinguished himself by his professional zeal, which was only surpassed by his humanity and self-sacrifice in rendering to the unfortunate and suffering all the services in his power; and won the title of a "Public Benefactor" in successfully urging upon the local government at Panama the necessity of a complete sanitary and hospital reorganization, to meet the extraordinary emergency growing out of the unlooked-for tidal wave of emigration that flooded the Isthmus in its progress to California.

A similar work, to meet a like class of circumstances, was marked out for him on his arrival in San Francisco. His previous experience had well fitted him to master the situation, and with the active coöperation of Dr. Turner, an eminent surgeon late of the United States Army, and Dr. Hastings, he established the first public hospital on the Coast.

In 1852 he withdrew from the hospital staff, on which he had served with such signal ability, and established a private infirmary of his own on Pacific street, which was afterward enlarged, and finally a costly structure rebuilt on the spot it now occupies. His connection with this institution soon developed a name and reputation for himself that was second to none in the profession on the Pacific Coast, and which endured with

undiminished light up to the time of his decease, which occurred in the seventy-fifth year of his age (April 20, 1884) at Monte Carlos, a lovely watering place on the shores of the Mediterranean, world-famed for the salubrity of its climate, and whither he had painfully found his way, trusting in vain for a palliation of the symptoms, which the humid sea-bound coast of California failed to afford.

For several years prior to his death, he had been a great sufferer from diabetes, which had unfortunately rendered it impossible for him to carry out the magnificent plans he had at one time conceived, matured, and had delineated by his architect, to erect a monumental structure in this city, to be dedicated to sanitary purposes for the public good. Italian marble was the fabric he designed for this palace, as a symbol of the purity of the love with which he regarded his profession. Possessed at this time of a colossal fortune, it was readily within his possibility to transform his air castles into solid masonry.

Apart from his professional income, which had always been exceptionally large, his adroit business sagacity, which guided the natural speculative tendencies of his mind, generally insured uniform success, in the manifold operations at large to which he gave his attention, including mining and real estate speculations, and ventures in agriculture, commerce, etc. In each

and all things that engaged his mind he was progressive, and not the less a Humanitarian. The miner, the mechanic, the farmer—what calling could be named that had not felt the touch of his rewarding hand? The vast amounts of money expended in experimental mining and laboratory work, in the devise of new and improved machinery, and in the reclamation of overflowed lands, would make a startling figure, even when the ample fortune of one who was several times a millionaire is considered.

Although one of the earlier members of our Society, he could rarely, on account of weakened physical powers, participate in its deliberations, yet was always interested in its progress and permanency. How well he remembered us is shown in the handsome donation he has bequeathed to us in his will. The annual interest of this sum, well invested, will go very far toward fulfilling his ideas, as expressed to one of the members of your committee just previous to what was destined to prove his final departure from the city, so dear to his thoughts, "To aid in the permanent foundation of a medical library and laboratory for professional culture and improvement." May we not promise to the ever present memory of our departed *confrere* that the seed thus sown shall be carefully planted and tenderly watched over as it thrives, until it shall bear ripe fruit to extend to the next generations, and thereby perpetuate the praise of his generous name.

A technical analysis of the attributes of his character would puzzle the descriptive powers of the most profound metaphysician. The head that crowned his shoulders suggested the massive brain that was roofed within; exaggerated features, illuminated with a flashing eye, set deeply in the shadow of an overreaching forehead, which might exhibit a repose, that was an utter blank to the inquisitive spectator who sought to penetrate the inner thought; or when aroused, a mobility that amply gesticulated the raging passion that might burn within; or almost feminine graces might gather about the outlines of the mouth, when the gentle side of his nature was appealed to and won.

In external manner, generally harsh and brusque in his contact with the world, it was a mask assumed to prevent the betrayal of the sentiments that were struggling to confess themselves, as it were, without his consent. Generous-hearted to the last degree, he seemed to consider the expressions of his feelings a weakness, and strove in his eccentric way to conceal them—an eccentricity that was natural and free from all affectation—eccentric, or perhaps original rather, in all his methods of mental action. For instance, if he chanced to agree with you in opinion, which was rarely the case, or was drawn to your conclusions, it would be by an altogether different mental road than that travelled by the average world; yet always docile and tractable, if convinced he was met by truth and sincerity.

In his personal tastes he was refined, aesthetic—simply elegant. This statement would seem to be an extraordinary liberty of language to one who knew him but superficially. Were one to visit him in his own home, he would be received with all the courtesy and hospitality that adorns the gentleman of the old school. He would find him surrounded by beautiful and rare objects of art and *virtu* which he had collected in his various travels. The most dainty service was employed to meet his personal tastes. Nothing common or pretentious dwelt around him.

From his fluent use of monosyllabic words, especially expletives, drawn from the Old Testament—for his dictation was always most earnest, even upon the simplest topics—he has often been misjudged and thought to be lacking in delicacy and refinement. Yet no one ever heard a vulgar phrase or jest escape his lips, which, with his keen sense of the ridiculous, was remarkable, when we consider the suspicious quality of the humor that is most apt to excite professional risibles.

But it is in the solid characteristics of the intellect, that we must look for the secret of his power over his fellow men. We will glance only at some of the qualities that made him so marked a man in his profession, omitting all references to those mental attributes which enabled him to compete so successfully with the most prominent business men of the day, and bind them to

him in the strongest ties of business confidence and personal intimacy and friendship, which, when once formed, usually remained unbroken until death should order their irrevocable dissolution.

Essentially professional position in life is greatly determined by the preliminary training and the advantages the candidate can command in his elementary course. The mind must be correctly worked whilst in the plastic state of early years, if you design a perfect image to grow out of shapeless clay. The right use of early opportunities is just as important to perfect genius, gifted with the power to create, as to educate talent, which has to content itself with producing honorable imitations. DR. ZEILE occupied in his youth this happy position for fertilization, so to speak, in being able to frequent the best schools and having the most distinguished teachers which the Germany of his day afforded. He was taught how to study a form of disease, the same as any form of existence is studied in natural history. He thus early learned here to make a name define a disease, instead of twisting and distorting a disease to give definition to a name, as is apt to be the case where medicine is studied in the closet and without clinical experiences. Thus was originated at the bedside a self-confidence, which could not but attract and hold the faith of the patient when he came in contact with the world to practice his profession. This self-reliance natu-

rally assumed an exaggerated form on account of the peculiarities of his temper, which, overcome with harassing suffering, tended, with increase of years, more and more to isolate him from intimate association with the profession at large. As his reputation grew, his patients would very rarely solicit consultations, having the satisfied conviction that it was useless to seek for further illumination, if his light, which was the light of the sun, failed to make vision more clear. Hence it followed that he was much better understood and appreciated by the public than by his professional colleagues, to whom he was generally unknown, unless through the tongues of idle gossip, to which we are not apt to look for reliable information. It was thus made easy for professional misunderstandings to arise, and, whether well founded or not, as there was little opportunity for explanations to be offered, they naturally developed more or less bitterness of feeling, in which DR. ZEILE, when his characteristic acerbity in criticism is considered, very rarely yielded the controversy as the party vanquished.

It is obvious that the general management of his cases and plans of treatment could not but be strongly accentuated by the individuality of his character. He was the ardent student of nature and not the partisan of any particular school of practice. His knowledge of what might be called the armament of medicine, in

which term we will include *Materia Medica*, *Therapeutics*, etc., was very extended. He was always on the watch for the slightest indication of pathological changes, and with the *finesse*, so characteristic of the German mind, was never at a loss for the particular remedy to be applied. He never wrote a prescription, however, without a positive feeling of its necessity, and conclusive reasons to sustain its administration, which from his standpoint were final and not admitting of argument.

He always remained an aggressive advocate of the "Bath" as an important auxiliary in the treatment of disease. It was a great personal satisfaction to him toward the closing years of his life, to note how mainly through his individual efforts, dating from the commencement of his professional career, this important system of medication had been rescued from the hands of charlatanism, and placed in a position where its intelligent administration had proved so valuable a factor in the relief of human suffering; its employment becoming daily more and more extended, and, indeed, now strongly advocated in the most learned centres of medical culture in the United States and Great Britain, as well as on the Continent. Beside the multitude of private bathing establishments daily coming into use in our principal cities, no large hospital system is considered perfect without a complete apparatus for administering

the hot or cold water bath, hot-air or vapor baths, or the various forms of medicated baths, which have proved of so much value in the treatment of special affections. For himself, a chronic sufferer from diabetes, he was wont to rely upon the palliative influence of the Turkish bath for his relief. It had a wonderful effect in quenching the thirst which pursued him, and removed the intolerable dryness of the skin, which at times in this affection, is a more harassing feature than the thirst. There is no doubt his life was essentially prolonged for years, by its kindly tonic effects on his gradually sinking constitutional powers.

From his benevolent forethought sprang the suggestion for the establishment of a free public bath house in our midst, at a cost of \$150,000, for the benefit of our population, and which is found practically enrolled in the record of those splendid charities, to establish which, and carry them into practical operation, his late client and friend, fellow citizen and fellow countryman, James Lick, has devoted his colossal fortune.

In the practice of surgery, for which his temperament especially qualified him, his experiences were large and varied. We may readily infer that he was not likely to falter in any operation that promised to afford escape for the patient, however bold or heroic the procedure that the urgency of the case demanded. Still, he was never impressed with that portion of the spirit

of progressive surgery—which is claimed to be a California inspiration, and which for the welfare of the human family abroad he hoped would be held fast within our borders by the natural barrier of our Sierra Nevadas—as to make ante-mortem operations in hopeless cases, for the sake merely of gratifying a profitless curiosity, or substantiating an uncertain diagnosis; and when his patients, as often happened, pertinaciously insisted on an operation against his better judgment, they wishing to assume the responsibilities of the procedure, with a sort of grim humor, he would recommend them to the address of some undertaker as the party best qualified to administer in their cases.

All are aware of the importance of vigilant discipline in the management of critical cases of disease; a discipline that admits of no repose or sleep, and if he exhibited a growling and arbitrary manner at the bedside, it was an assumed exaggeration of character to insure the most positive attention to the instructions necessary to conduct the case to a successful issue. Literally, his was the heart of the lamb hid away under the skin of a lion. To see him raging about the sick room, robed in his shaggy coat of fur which enveloped his body to the ankles, and which he was in the habit of wearing constantly either within or out of doors, it would cause a smile to learn that it was only the growl of a huge *man*, that disturbed the stillness of the apart-

ment, which at the next moment was changed into the gentle accents of sympathy and encouragement, with which his regal nature overflowed.

We have already transcended the limits we had proposed to ourselves in this desultory review of the character and genius of our late associate. Only those who knew him intimately can tell how difficult the task to render in language adequate honor to his memory; and we sincerely trust that the enrollment of his name on our list of membership may continue as in the past, in the indefinite future, to act as a lasting stimulus to advance the professional interests for which our society was founded. "*Esto perpetuo!*" Such is our interpretation of the hidden meaning that is conveyed under the guise of his generous bequest.

Signed by Committee:

A. F. SAWYER, M. D.,  
W. H. BRUNNER, M. D.,  
W. AYER, M. D.

SAN FRANCISCO, CAL., June 21, 1884.



John W. Eckel, M.D.  
Silk Manure  
Oil -



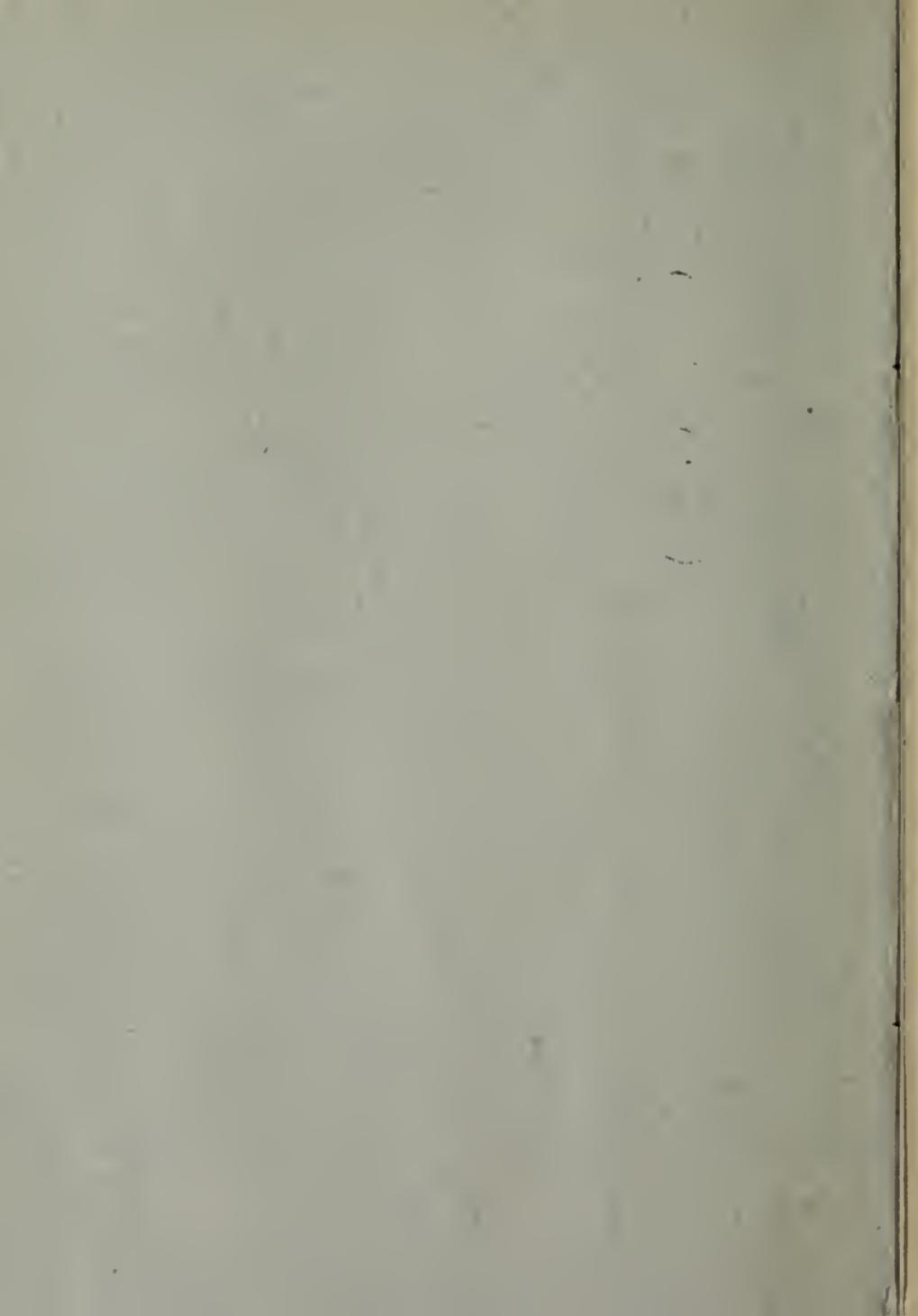


# In Memoriam.



→SAMUEL J. TILDEN←





# Memorial Services

IN HONOR OF

# SAMUEL J. TILDEN

AT THE

CALIFORNIA THEATRE,

WEDNESDAY EVENING, OCTOBER 20, 1886.

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Under the auspices of the California State Democratic Club.

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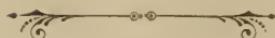
SAN FRANCISCO:

P. J. THOMAS, PRINTER AND PUBLISHER, 505 CLAY STREET,  
1886.

## Programme.

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Marcia Funebre,	-	" <i>Sulla Morte d'un Eroe,</i> "	-	BEETHOVEN
Prelude,	-	" <i>L'Africane,</i> "	-	MEYERBEER
<i>Poem,</i>	-	-	-	DANIEL O'CONNELL, Esq.
Selection,	-	" <i>Stabat Mater,</i> "	-	ROSSINI
<i>Oration,</i>	-	-	-	HON. SAMUEL M. WILSON
Largo,	-	" <i>in G,</i> "	-	HANDEL
March,	-	" <i>Prophete,</i> "	-	MEYERBEER



## IN MEMORIAM.

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BY DANIEL O'CONNELL, ESQ.

---

WHEN the toiler in the morning goes forth to sow the seed,  
His brown hands full of garnered grain, and his footsteps free and bold;  
Through all his weary labor he is thinking of the meed,  
When Autumn's russet mantle shall the teeming earth unfold.

The ploughshare shapes the furrow, the seed is scattered wide,  
And the Winter rains fall kindly upon the thirsty field,  
And the toiler's heart is gladdened, as he contemplates with pride  
The rich reward of labor his harvesting shall yield.

'Midst the singing of the sailors, across the harbor bar,  
The tall ship moves, her gliding keel the foaming waters spurn,  
And many watch her progress, and bless her from afar—  
Their farewells filled with yearning for the noble bark's return.

But that gallant ship is stricken by the storm, and the wreck  
The hurricane has driven upon the iron shore,  
And drowned men are lying upon her shattered deck,  
And they who watched her from the port shall never see her more.

And the harvest for the reaper is nought but tare and weed,  
For the heavens withheld their moisture; there was nought but drought  
and frost;  
Not a single blade of corn is born from the seed,  
And the labor of the husbandman is futile all and lost.

But patiently he sows the grain and trusts another year,  
And gallantly another ship goes forth upon the sea,  
And the sailor's sturdy bosom a stranger is to fear,  
And the husbandman looks forward to his harvest from the lea.

Ah ! such was he, the statesman, the great, the honored dead.  
 Who for many a well-sown harvest reaped nought but tare and weed,  
 Saw many a gallant ship go down but never bowed his head,  
 Still sending ships npon the sea, still sowing the good seed.

Oh, mind above all selfish ends! oh, trne, majestic sonl!  
 In the honr of party triumph you passed away to God;  
 And the bells that rang our paean were mingled with the toll  
 Of the funeral bells that thrilled ns, when they placed yon 'neath the sod.

Beyond ambition's promptings, beyond the fair reward  
 Of those who loved and praised him, he held the Nation's peace,  
 And he drank the bitter chalice, and thongh the task was hard,  
 He calmed an angry faction, and bade the storm to cease.

O, patriot heart, that steadfastly in that fierce, threatening time,  
 When wrong was bold and rampant, and when a single word  
 Would have plnnged the land in conflict, with sacrifice snblime  
 Resigned thy well-won lanrels, and sheathed the half-drawn sword.

Thou art gone from us, the leader, the learned and the sage.  
 After years of fruitless sowing yon saw the harvest wave.  
 Iu the story of our statesmen thou shalt have a brilliant page,  
 And a Nation, not a party, shall weep above thy grave.



# The Oration.

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BY HON. SAMUEL M. WILSON.

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*Mr. President, Ladies and Gentlemen:*

Time in his onward and ceaseless course carries each moment to the grave some human victim. This common fate of mankind in the great mass of cases passes with but little notice. There may be a few relatives who sincerely mourn their loss, a few devoted friends who sorrow for their departed companion; but the community at large is not only without a sensation, but generally without even a knowledge of the event. It is only at great intervals that there occurs a death which produces a sensation in a great nation, and concentrates thought, reflection and contemplation upon the memory of one man. Such a rare occurrence has but recently happened in the death of SAMUEL J. TILDEN, and has excited the attention of this vast country of upwards of fifty millions of people. Under its influence we are gathered here this evening to do honor to the memory of that distinguished man and eminent statesman, and to recall those great traits of character and beneficent acts of public service and patriotism which make his

“One of the few, the immortal names,  
That were not born to die.”

A history of the United States that did not give a large space to the great national Democratic party would be but a false and delusive story; and a history of that great party that did not give a large space to the life, acts and teachings of Mr. TILDEN would be equally deficient in one important era of our national existence.

SAMUEL JONES TILDEN was born in the town of New Lebanon, County of Columbia, State of New York, on the 15th

of March, 1814, and died on the 2d day of August, 1886. He descended from old Puritan stock; and though far removed from the causes and surroundings which gave that people its marked and peculiar traits, he seemed to have inherited that sturdiness of purpose, inflexibility of will, high sense of morality, unswerving integrity and robust intellect so characteristic of the Puritan. Those great qualities, so potential in the days of the colonists, have been not less powerful in the later days of their descendants, though softened by the genial influence of secured liberty, and exercised more rationally under the benign spirit of an enlightened Government.

Some biographers of Mr. TILDEN have traced his genealogy back to distinguished ancestors in England; some to Colonel John Jones, one of the regicide judges of Charles I.; some make a connection by affinity between the ancestors of his mother and Oliver Cromwell and John Hampden. But, however this may be, the friends of Mr. TILDEN, looking at his own character and history, may well say in the language of Shakspere:

"Honors best thrive,  
When rather from our acts we them derive,  
Than our foregoers."

Or, in the words of another poet:

"The fame which a man wins for himself is best—  
That he may call his own."

#### THE STATESMAN'S EARLY LIFE.

Mr. TILDEN, while yet a boy and even before entering college, imbibed a taste for the study of public affairs, and was an attentive listener at his father's house to the discussion of political principles and measures by prominent men in New York. In the fall of 1832, when General Jackson was a second time a candidate for the Presidency, with Mr. Van Buren for Vice-President and William L. Marcy for Governor of New York, Mr. TILDEN, then in his nineteenth year, wrote

an article of such great power that it was published in the Albany *Argus* as a public address, signed by a number of leading Democrats; and such was its intrinsic merit that it was by many believed to be the work of Martin Van Buren. This article so much impressed Washington Irving, to whom it was shown by Mr. Van Buren at Kinderhook, that he requested to be introduced to Mr. TILDEN that he might know the author.

It was after this he commenced his collegiate career and from that passed to the law school and thence to the Bar. But during the stirring times of General Jackson's second term and the succeeding term of Mr. Van Buren, Mr. TILDEN was an ardent supporter of both, and equally by his pen and tongue vindicated them and the great measures of the Democratic party of those days. He entered earnestly and warmly into the campaign which made Mr. Polk President of the United States and Silas Wright Governor of New York, and appeared in the role of the editor of a newspaper called the *Daily News*, which he conducted with great ability and success.

#### HIS FIRST ENTRANCE INTO PUBLIC LIFE.

Mr. TILDEN's first entrance into public life was in 1845, as a member of the Legislature from the City of New York, followed speedily by his election to the Constitutional Convention in 1846. In both of these positions he was very active and efficient and exhibited much of that intellectual power, firmness of purpose and unyielding integrity for which he was always so famous. His participation in these public affairs and his great devotion to the service of the Democratic party brought him early into the society and fellowship of the great statesmen and public men of New York; and from his boyhood to his death he maintained their respect, admiration and sincere friendship.

But notwithstanding Mr. TILDEN's great aptitude for public life and his early knowledge of political affairs, he was com-

peled by the great demand for his legal services to devote himself for some years almost exclusively to his professional duties at the bar. He speedily rose to the highest rank at the bar of New York, always renowned for the ability, learning and high moral standing of its leading members.

#### HIS MERITS AND SUCCESS AS A LAWYER.

It were almost endless to tell of the many triumphs achieved by Mr. TILDEN at the bar.

There are many places in life where a pretender may deceive. The quack may for a time play the role of a learned and able physician; the hypocrite may enter the pulpit and create a belief in his saintliness; the politician, without merit, ability or honesty, may by plot and intrigue climb to places of honor; the blustering of a superficial officer may temporarily deceive his soldiers:—but the bar is the place where the pretender is at once detected and exposed. Rich friends and influential relatives may lend their aid and strive to create an unmerited reputation, but it is all in vain. The bar of a great city is a critic of its members, not to be blinded, cajoled, deceived or intimidated. It measures each man at his true worth. As the swordsman, training with his fellow, well knows the man of strong arm, iron wrist, keen eye and consummate skill, so does the lawyer know to a certainty his fellow-member.

He well knows the skill, the learning, the power and resources of counsel, whether he appears with him as a colleague or against him as opponent. To learn the character of the lawyer, whether it be for his learning, his ability or his moral attributes, ask his fellow-members of the bar. They know the difference between pretense and reality; between fiction and truth. When, therefore, it is said that Mr. TILDEN was ranked by the bar itself among its ablest, most worthy and distinguished members, you have a standard and criterion of worth that never errs.

At the bar Mr. TILDEN was always an untiring student.

His capacity for profound labor was immense; his resources almost without limit. He was absolutely thorough. He came to the trial of a case with nothing undiscovered; nothing upon which he had not reflected; nothing upon which he was not prepared. With this he joined a great command of language and most convincing logic. He was terse, clear, straightforward and earnest. With him the practice of law was the pursuit of the truth and right of a case, by a thorough presentation of facts and the application of broad principles of a great system of enlightened jurisprudence. He moved as a well-drilled, well-equipped and well-supplied army moves on to a battle; and making no mistakes, falling into no ambuscade, attacks and defeats the enemy by its own sturdy prowess and resistless weight.

The same methods were pursued by him in his prosecution of any study. Were it a political subject, he sought the underlying elementary doctrines of political economy; but, not standing on mere theory, he made such a practical and sensible application of them as is made in geometry by the use of established maxims in the solution of a problem. On great financial questions his studies were exhaustive and his knowledge wonderful. With him it was a lifetime work, and his writings on these topics are indisputable evidence of his pre-eminent ability and storehouses of most valuable information.

#### HIS LOVE FOR THE UNION IN THE CIVIL WAR.

With all these eminent qualities Mr. TILDEN united a sincere admiration of our form of government, and was a devoted lover of his country. When the great Civil War came, there could be no doubt what course he would pursue or whose cause he would espouse: he was a Jacksonian, anti-nullification Democrat. Before the war he was opposed to all aggressive measures against the guaranteed rights of the South, and stood by the compromises embodied in the Federal Constitution in their full integrity. He fully appreciated

what a war between the North and South would be, and sought to avoid it by all honorable means; but when that startling event came, he immediately espoused the cause of the grand old Union. In this, as in all things, he advocated measures at once thorough, bold and efficient. At a meeting of Union men at the house of General Dix, after Mr. Lincoln had made the call for 75,000 men, Mr. TILDEN, appreciating better than any one else present the magnitude of the impending crisis, advocated a call for 500,000 men, one half to be put into immediate service, and the other half to be kept in reserve, ready in case of necessity. Had this strong movement been made and this prompt and decisive action been taken, it is to be believed that several States then hanging in doubt would not have seceded, and that the war would have speedily ended. Subsequently, Mr. TILDEN was invited to Washington by the Government, and his advice solicited as to the future conduct of the war. His advice then was to overwhelm the South through the vastly greater numbers at the command of the North, and its superior military resources, and by great concentration at vital points.

It was a matter of profound regret, subsequently expressed by the Secretary of War, that the advice of Mr. TILDEN had not been followed. Throughout the whole crisis he was a thoroughly sound Union man, never flinching in the support of the Government; but when the war was ended he was for a general amnesty, not in name merely but in very fact. Contending that the Southern States could not go out of the Union, he insisted at the end of the war that they were still in the Union and should be treated with a magnanimity becoming a great nation.

#### HE MAKES WAR ON THE TWEED RING.

One of the most important and interesting events in the life of Mr. TILDEN was his share in the contest with what was called the "Ring" of New York City, or, more familiarly, the "Tweed Ring." Most persons posted on current events

knew at the time the general features of this renowned institution; but, as important matters rapidly succeed each other in this country, and the material things of yesterday are eclipsed and effaced by the events of to-day, it may not be amiss, on this occasion, to recall briefly some of the prominent facts of this memorable struggle.

Mr. Charles O'Conor, the very eminent and distinguished New York lawyer, lent his most valuable and powerful aid to Mr. TILDEN and others, in the great battle with the "Ring." Writing, in 1875, about it, Mr. O'Conor gives the following very graphic account: "At a period not very remote, certain trading politicians discovered that the City of New York might be made the Golconda of fraudulent cupidity. Vicious legislation was brought into their service for a price, and by its use they had attained, in the year 1871, much power and measureless audacity. All the local patronage came under the control of four officials by laws of their own framing. They were Hall, Mayor; Connolly, Comptroller; Tweed, Commissioner of Public Works; and Sweeney, President of the Department of Public Parks. Tweed, whom common fame recognized under the designation 'Boss,' as chief of this quartette, enjoyed a plurality of benefices. He was President of the Board of Supervisors and a State Senator. Unwilling to rely upon the rule which enjoins 'honor among thieves,' the quartette, as they were called, made unanimity among themselves indispensable to the working of their machinery.

#### THE RING'S ENORMOUS POWER.

"At this time the quartette had almost complete control over the local officers, and each of them was studiously protected, by the requisite of unanimity before mentioned, from any adverse action by any or all of his three equals. Local officers were in the main selected from an organization controlled by them; the Corporation Counsel could not institute actions on his own motion; and in this respect one of them absolutely controlled him. William M. Tweed, Jr., son of the 'Boss,' was Assistant District Attorney.

"They had reduced nine daily papers and nine weekly papers to the condition of stipendiaries, by an act, designed, though perhaps without entire success, to muzzle the Press, that potent foe of tyranny."

In reference to this Ring, Mr. TILDEN himself says: "The Ring was doubly a ring. It was a ring between the six Republican Supervisors and the six Democratic Supervisors. It soon grew to a ring between the Republican majority [in the Legislature] in Albany and the half-and-half Supervisors and a few Democratic officials of the City of New York.

"The very definition of a ring is, that it encircles enough influential men in the organization of each party to control the action of both party machines—men who in public push to extremes the abstract ideas of their respective parties, while they secretly join hands in schemes for personal power and profit."

#### THE TWEED CHARTER.

The great culminating act by which the "Ring" received its greatest power and security and sought to prolong its existence was the passage of the "Tweed Charter," on the 5th day of April, 1870, which Mr. TILDEN characterized as "the passage of the Act granting New York City to the 'Ring.'" This continued Tweed in office until April, 1874, and Connolly and Sweeney until 1875. Mr. TILDEN proceeds to say: "They, with the Mayor, were vested with the exclusive legal power of appropriating all moneys raised by taxes or by loans, and an indefinite authority to borrow. Practically they held all power of municipal legislation and all power of expending as well as appropriating moneys. They had filled the departments with their dependents for terms equally long.

"They wielded the enormous patronage of offices and contracts. They swayed all the institutions of local government—the local judiciary \* \* \* in a word, everything below the Court of Appeals. They also controlled the whole machinery of elections. New York City with its million of

people, with its concentration of vast interests of individuals in other States and in foreign countries, with its conspicuous position before the world, had practically no power of self-government. It was ruled and was to be ruled as long as the terms of these officers continued—from four to eight years—as if it were a conquered province.”

#### AN IMMENSE SYSTEM OF BRIBERY.

It has since been established beyond all doubt that all of this was effected by an immense system of bribery and corruption. Judge Noah Davis, one of the most reliable Judges of New York—a gentleman of high standing and character—ascertained from a well-known leader of the lobby that the price paid to six leading Republican Senators was, to each, \$10,000 for the passage of the “Tweed Charter,” and \$5,000 for kindred bills of the session, and \$5,000 more for similar services the next year.

Among these was an Act creating a Board of Special Audit, and very shortly after the passage of the Act, this board audited and ordered paid \$6,000,000. Of this enormous sum only about 33 per cent. went to the mechanics and tradesmen, who furnished the materials and performed the services charged for. Tweed took 24 per cent., Woodward, his agent, Watson, Deputy Controller, and Sweeney, took each seven per cent. The sum of \$250,000 went as a corruption fund to Albany and was distributed to Senators and members of the Lower House.

Mr. Tilden says: “None but the ‘Ring’ then knew that in the secret recesses of the Supervisors and other similar bureaus were hid ten millions of bills largely fraudulent, and that in the prospective were eighteen other millions, nearly all fraudulent.

\* \* \* \* \*

“As the times advanced the percentages of theft mixed in the bills grew. Moderate in 1869, they reached sixty-six per cent. in 1870, and, later, eighty-five per cent. The

aggregate of fraudulent bills, after April 5, 1870, was, in the rest of that year, about \$12,250,000, and in 1871, \$3,400,000. Nearly fifteen and three-quarter millions of fraudulent bills were the booty grasped on the 5th of April, 1870. Fourteen, perhaps fifteen millions of it was sheer plunder."

#### MR. TILDEN UNDAUNTED BY THREATS.

Such was the gigantic and corrupt power which Mr. TILDEN, Mr. O'Conor and their associates undertook to conquer, to drive out of office and bring to punishment. As might have been expected, the fight was a most desperate one. Mr. TILDEN was then leader in the Democratic State organization. Tweed threatened to depose him, and sought in various ways to intimidate him. He was told that he would break up the Democratic organization in the State if he persisted, and they threatened to read him out of the party for not sustaining what was called the regular ticket. But Mr. TILDEN says: "I told the State Convention, being the nominal head of the Democratic party of this State, for the sake of perfect frankness and distinctness, and in order that I might not be misunderstood—I told them that I felt it to be my duty to oppose any man who would not go for making the government of this city what it ought to be, at whatever cost, at whatever sacrifice. If they did not deem that 'regular' I would resign as Chairman of the State Committee and take my place in the ranks of my plundered fellow-citizens and help them to fight their battle of emancipation."

Mr. TILDEN appealed to the whole party, and says: "It is to the eternal honor of the Democratic masses of this State that on the issues thus made with me successively for a whole year they gave me an overwhelming support."

#### THE RING EXPOSED AND DRIVEN FROM POWER.

The battle against the "Ring" was indeed a fierce and desperate one, and many able gentlemen and powerful societies, including the Bar Association and the Union

League Club, lent their aid; but when Mr. TILDEN entered the field, it was like the advent of Achilles in the battles before Troy. He was ever found in the hottest of the fight and his shield bore the marks of many a well-aimed blow; but, like Achilles, he was invincible. By his own personal prowess he turned the tide of battle, and all opposition gave way before the irresistible power of his mighty arm. His presence at once stimulated his companions and dismayed his enemies. His was the thunderbolt that not only burned and blasted, but cast a flash of light which produced consternation and terror in his adversaries.

The result of these efforts was that the members of the Ring were detected, exposed and driven from the companionship of decent people—some of them went to exile, some to prison and ultimately to miserable deaths. This included judges who were impeached and disgraced, against whom was no stronger foe and more energetic prosecutor than the Bar itself. These impeachments were only successful through the efforts of Mr. TILDEN. Speaking of the impeachment of these corrupt Tweed Ring Judges, Mr. Charles O'Conor said that: "it was all TILDEN's work and no one else. TILDEN went to the Legislature and forced the impeachment against every imaginable obstacle, open and covert, political and personal." Mr. John Bigelow writes that "the speech of Mr. TILDEN in the Assembly carried the resolution of impeachment almost with unanimity in a body nine-tenths of which were accessible to the influence employed by the culprits."

This achievement is at once the highest evidence of great ability, courage, perseverance and patriotism. It will remain a monument to his glory to the remotest time.

#### HIS SERVICES AS GOVERNOR OF NEW YORK.

All these great services of Mr. TILDEN produced the profoundest impression upon the people. The necessity for great reforms in public affairs existed, and Mr. Tilden was

extensively regarded as the man of all others for the Gubernatorial Chair of the State of New York. It was not without difficulty that Mr. Tilden could be persuaded to accept the nomination. It was to give up the entire independence of his private life and enter upon a most formidable contest. To accept it, with his reputation as the enemy of all corruption and abuses in governmental matters, was to become at once the champion of reform. It would be a declaration of war against a large host, who fattened upon political corruption, and would bring them in solid masses against him. Besides that, General Dix, the then Governor, a most worthy and popular man, would be his principal opponent as the Republican nominee, and he had been elected two years before by a plurality of 53,451. He still retained the halo of the war about him, and was capable of raising great enthusiasm. Under all these adverse circumstances, Mr. TILDEN at last consented to accept the Democratic nomination, and he was triumphantly elected Governor by a plurality over General Dix of 53,315.

His messages, as Governor, constitute a series of state papers, able, profound, useful, convincing and most practical. He introduced and carried out the most valuable reforms; he vetoed and defeated a mass of corrupt special legislation.

After the most vigorous conflict he exposed and overthrew the great "Canal Ring," and introduced generally in the State a condition of reform and reduction of taxation, and inaugurated a good government for the benefit of the people, in the broadest sense.

#### HIS NOMINATION FOR THE PRESIDENCY.

But I must not dwell longer on these matters, however interesting they may be to every lover of a good and pure government, but must hurry on to the last and most important event in the life of Mr. TILDEN—his nomination and election as President of the United States.

Mr. TILDEN had been a close observer of public events. He had watched with the greatest attention and interest the civil war; he had carefully observed our common country emerging from a dreadful condition of fraternal strife to peace; he noted the demoralizing effect of war upon the whole community, and he saw with a statesman's eye the movements of the Federal Government and those conducting it. He became alarmed and sounded the note of warning. In a speech which he delivered at Syracuse, in 1874, he said: "The Federal Government is drifting into greater dangers and greater evils. It is rushing onward in a career of centralism, absorbing all governmental powers and assuming to manage all the affairs of human society. It undertakes to direct the business of individuals by tariffs not intended for legitimate taxation; granting special privileges and fostering monopolies at the expense of the people. It has acquired control of all banks. It has threatened to seize on all the telegraphs. It is claiming jurisdiction of all railroad corporations chartered by the States, and amenable to the just authority of the States. It is going on to usurp control of all our schools and colleges. \* \* \* These tendencies must be stopped, or before we know it the whole character of our Government will be changed. The simple and free institutions of our fathers will have become the worst Government that has ever ruled over a civilized people."

It was under such circumstances and with such views that Mr. TILDEN came to be the nominee of the National Democratic party for President of the United States.

#### THE CRIME BY WHICH HE WAS DEFEATED.

Now, when nearly nine years have passed away, the excitement gone and all the facts and history of the time before us, can we not truthfully say that not only the entire Democratic party, but most of the moderate and fair-minded Republicans, believe that Mr. TILDEN really secured at the election of November 7, 1876, a popular majority of 250,000,

and a majority of the Electoral College of thirty-seven? At that time it was so announced; the news went broadcast throughout the land. But amidst the general rejoicing of the Democracy and the depressing confessions of defeat of the Republicans, orders came from the leaders of the latter to call a halt. They saw a chance for the commission of a successful fraud. The prize was too great to be yielded without an effort. They had too long drank the sweet juices of political power to have it wrested from them without a contest. They had in full operation a system of management and power, by which they had controlled a number of the States, and particularly Florida and Louisiana.

Florida had given Tilden and Hendricks *four* electors, Louisiana had given *eight* and South Carolina *seven*, making in these three States *nineteen* electors for Tilden and Hendricks. It was necessary that a grand larceny should be committed which would take all these from Tilden and Hendricks, and even then Hayes and Wheeler would have a majority of only *one*. The facilities of the Republican party for the accomplishment of this high crime against free government and of this treason to Democratic institutions were great. The counting of the votes of these States and the declaration of the results was entrusted to certain "Returning Boards," most of whom were unscrupulous men and political tramps of most unclean antecedents. They were well fitted for "treasons, strategems and spoils," and were ready without scruple or remorse to commit any crime at their master's bidding.

#### THE WORK OF THE RETURNING BOARD.

By a series of illegal acts and unwarranted methods they committed their predetermined crime, and counted out the candidates really elected, and gave the certificates to the defeated Electors. That the vote of Florida was most unrighteously wrested from Tilden and Hendricks was not only fully ascertained and declared by the Legislature of that

State, but was judicially determined by the Courts after a long and careful examination, upon legal evidence. The Democratic Governor, who had been counted out also with Tilden and Hendricks, was legally awarded his office, was inaugurated and performed the duties for the full term.

The case of Louisiana was, if possible, still more flagrant. The pretended statements and affidavits on which the Returning Board threw out 13,000 votes that had been cast for Tilden and Hendricks "were falsely fabricated and forged by certain disreputable persons, under the direction and with the knowledge of the Returning Board," and were fraudulently antedated; and proof of these facts were offered before the Electoral Commission.

While these acts of outrage and fraud were being performed by these Returning Boards the whole country was becoming excited and alarmed.

A great contest arose at Washington about the counting of the electoral votes and the declaring of the result. From the beginning of our Government the votes had been counted by both Houses of Congress, but now the Republican party claimed that the whole power to count the votes and declare the result was vested in the President of the Senate, thus constituting him alone the tribunal of last resort to judge of all contested questions.

#### INTENSE EXCITEMENT AT WASHINGTON.

It is impossible now to picture the great excitement that prevailed at the seat of government, as well as generally throughout the country. A great peril seemed impending. We had but a few years before emerged from one civil war, and another seemed imminent. Men stood by their party leaders. The feeling was most intense. A little spark might raise an inextinguishable fire. The Government was in the hands of a military chieftain who was indebted for his place and power to the party seeking to perpetuate and carry out this stupendous fraud. It was natural that he should follow

the leadership of his own party, and, being uneducated in the science of civil government, he should be impelled by the instincts of military power.

He at once concentrated at the capital a large body of the regular army, of which by the Constitution and laws he was Commander-in-Chief. A vast corps of office-holders also stood ready to obey any order of their superiors. It was under such circumstances that the leaders of the Democratic party consented to the Electoral Commission, devised by a joint committee of the two Houses of Congress, to consist of fifteen members—five Senators, five Representatives and five Judges of the Supreme Court of the United States. To the Commission thus constituted the whole question was to be submitted.

#### THE ELECTORAL COMMISSION AND ITS WORK.

When the Electoral Commission was agreed to by the Democrats, it was, of course, assumed that that lofty tribunal, acting before the world on the great and momentous questions to be submitted to it, would exercise to the fullest extent the ample jurisdiction with which it was invested, to ascertain the whole truth and determine who, in very fact, had received the majorities of the legal votes of the contested States. No one could have believed that tribunal would have refused to hear the truth, and, by a party vote of eight Republicans to seven Democrats, announce how easily fraud may be made inviolable and crime unimpeachable, and how great outrages against the electoral franchise, once perpetrated and clothed in the forms of law, can make and unmake Presidents.

Our own fellow-citizen, Mr. Justice Field of the Supreme Court of the United States, was one of the Electoral Commission, and from first to last maintained the rights of Tilden and Hendricks. With his clear mind, broad views and unanswerable logic, he demonstrated the power and duty of the Commission to throw aside all narrow and mere technical

theories; to enter upon the open field of inquiry; to be guided alone by a sincere desire to find the truth, and to give the award to him who alone in very fact received the highest number of votes. But to the amazement of the world that great tribunal by its vote of eight to seven forbade the investigation. It would not do to say that the members of the Commission, Democrats as well as Republicans, were always guided by partisan views. It still remains the fact that the Republicans refused to permit the evidence of the frauds to be heard, and would not permit the investigation to be made. Thus the Democrats, with plenary proof of the infamous frauds perpetrated, with the most convincing evidence that a great crime against the elective franchise had been committed, were met by the unrelenting decision of the inexorable eight Republicans that the immaculate certificates of the Returning Boards were conclusive on the American people and unimpeachable by the highest Court that this country ever knew. The crystallized fraud had become insoluble; the steel-clad crime was no longer penetrable by human power; the people, who by a majority of over a quarter of a million, had cast their votes for the Tilden and Hendricks Electors, could only exclaim, like poor Juliet in Shakspeare's great drama,

“ Past hope, past cure, past help.”

#### MR. TILDEN'S PATRIOTIC FORBEARANCE.

But this event, however deplorable it was, shows the strength of the American Government. Such a crisis in any other country could not have passed without a civil war, great distress and widespread disaster.

Here the Government passed from Mr. TILDEN, the true President, to Mr. Hayes; yet not one drop of blood was shed, no panic in commercial circles, no ruin to any one. Mr. TILDEN has been at times severely criticised by some for his acquiescence in the Electoral Commission and its results. It was thought by many of his friends that he should have gone to

Washington and claimed the office, and rallying around him the great party who by more than 250,000 of a popular majority had elected him, force a recognition of his rights. But Mr. TILDEN was too great a patriot to consent to any measure which would result in a new civil war and too great a lover of his fellow-man to join in any scheme of anarchy. His courage had been too often tested to be doubted. Though he disclaimed responsibility for the creation of the Electoral Commission, he accepted, as the Democracy at large did, the decision, and with patriotic forbearance acquiesced in the result, feeling at the same time how great an outrage had been perpetrated and how deep a wound had been given to the "vital principle of self-government through elections by the people."

Mr. TILDEN in his home as a private citizen was far greater and more admired and esteemed by the great mass of the American people than was his successful opponent, who trod the great halls of the White House and wore the robes of Chief Magistrate of the Nation, rightfully belonging to Mr. TILDEN. But Patroclus clothed in the armor of Achilles was not Achilles. Beneath the armor was not the strength, the prowess or the great soul of the true owner.

#### TILDEN AND CLEVELAND COMPARED.

Mr. TILDEN declined a renomination by the National Democratic Convention at Cincinnati in 1880, and thereafter lived the life of a private citizen. But in that privacy he was still the oracle of his party. His home was the political Mecca to which statesmen wended their way in reverential mood, and each came away feeling wiser and better for the pilgrimage. His views on public affairs and his political teachings have become widely disseminated among the statesmen of the country. Can we not trace, in the heroic efforts of President Cleveland in his great work of reform, the spirit and influence of Mr. TILDEN? It is no disparagement of the President, whom we all so much admire for his steadfast advance in the battle for a pure and good government for

the sake of the whole people, to say that he wages a war first inaugurated by Mr. TILDEN, and such as his is would have been the administration of Mr. TILDEN. The two had much in common—each the same fixed and positive views on great public questions; each actuated by the purest motives for good of the country; each inflexible in his purpose to accomplish his ends.

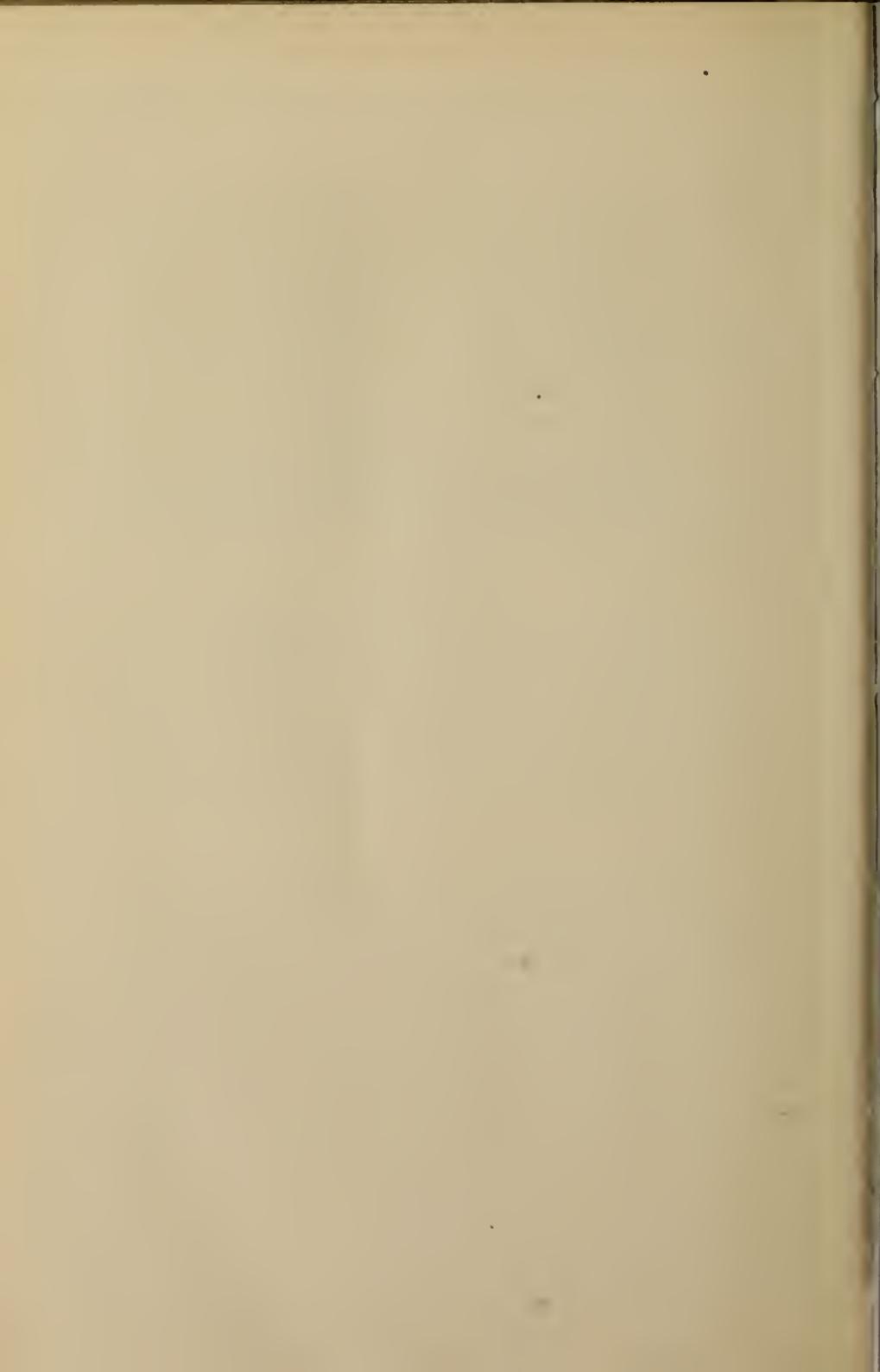
#### BEQUEST TO THE PEOPLE.

Mr. TILDEN's latest thoughts were still of his fellow-men, and a magnificent bequest for the use of the people at large manifested his determination to extend his usefulness, even beyond the period of his own life.

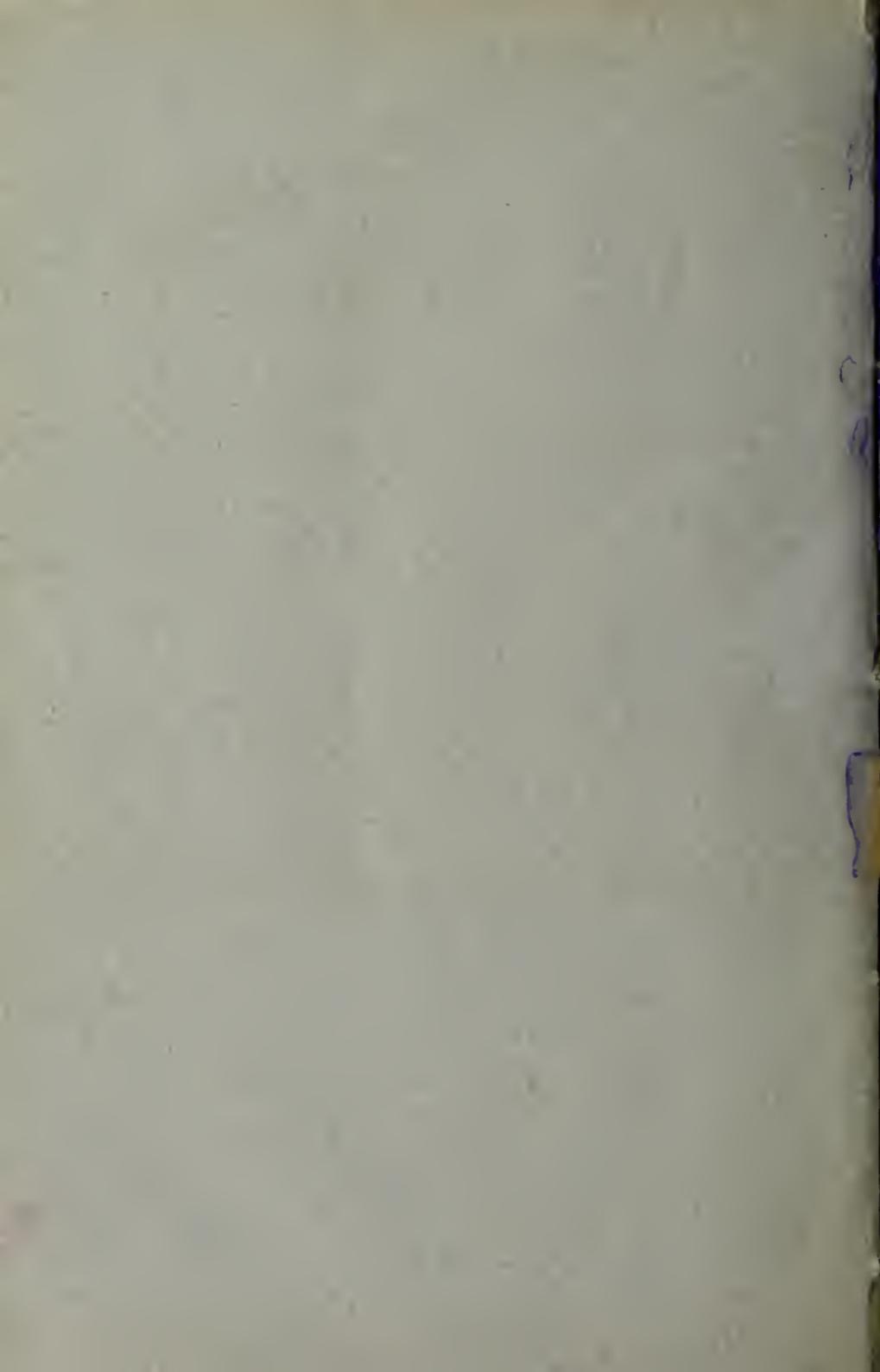
#### PERORATION.

Though his health, for some years before his death, was greatly impaired, and his physical frame much shattered, his mind retained all its pristine powers until the last moment of his existence. Like a grand diamond, it still shone with undiminished brilliancy, though its setting was gradually wearing away. It was like the heroic Marius sitting amid the ruins of Carthage. It was the immortal part of man standing like a lofty pyramid amidst the drifting sands of mortality.

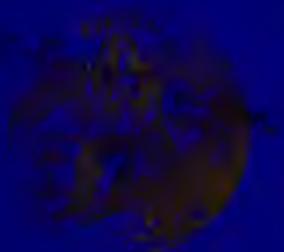
The name of Mr. TILDEN will be remembered as long as patriotism is deemed a virtue and high moral worth finds a place in human estimation. Around many of his contemporaries there may be a glamour of military glory or a halo of transient light, but he stands among the foremost, resting in solid grandeur upon a broad foundation of established greatness. Fame has already unrolled her sacred scroll, emblazoned with the names of her illustrious sons, and has inscribed there, in close companionship with her mighty dead, the name of SAMUEL JONES TILDEN, the patriot and statesman.







TESTIMONIAL  
to  
O. G. WHEELER,  
CHIEF CLERK  
of the  
UNIVERSITY OF CALIFORNIA  
ACADEMIC SESSIONS,  
Berkeley, California, 1866.  
Completely revised by James H. Barry.



UNIVERSITY OF CALIFORNIA  
ACADEMIC SESSIONS,  
1866.

HISTORICAL

H

ioach.

JAMES H. BARRY.



BIOGRAPHICAL AND HISTORICAL

SKETCH

OF

**Philip A. Noach.**

BY

JAMES H. BARRY.







BIOGRAPHICAL AND HISTORICAL

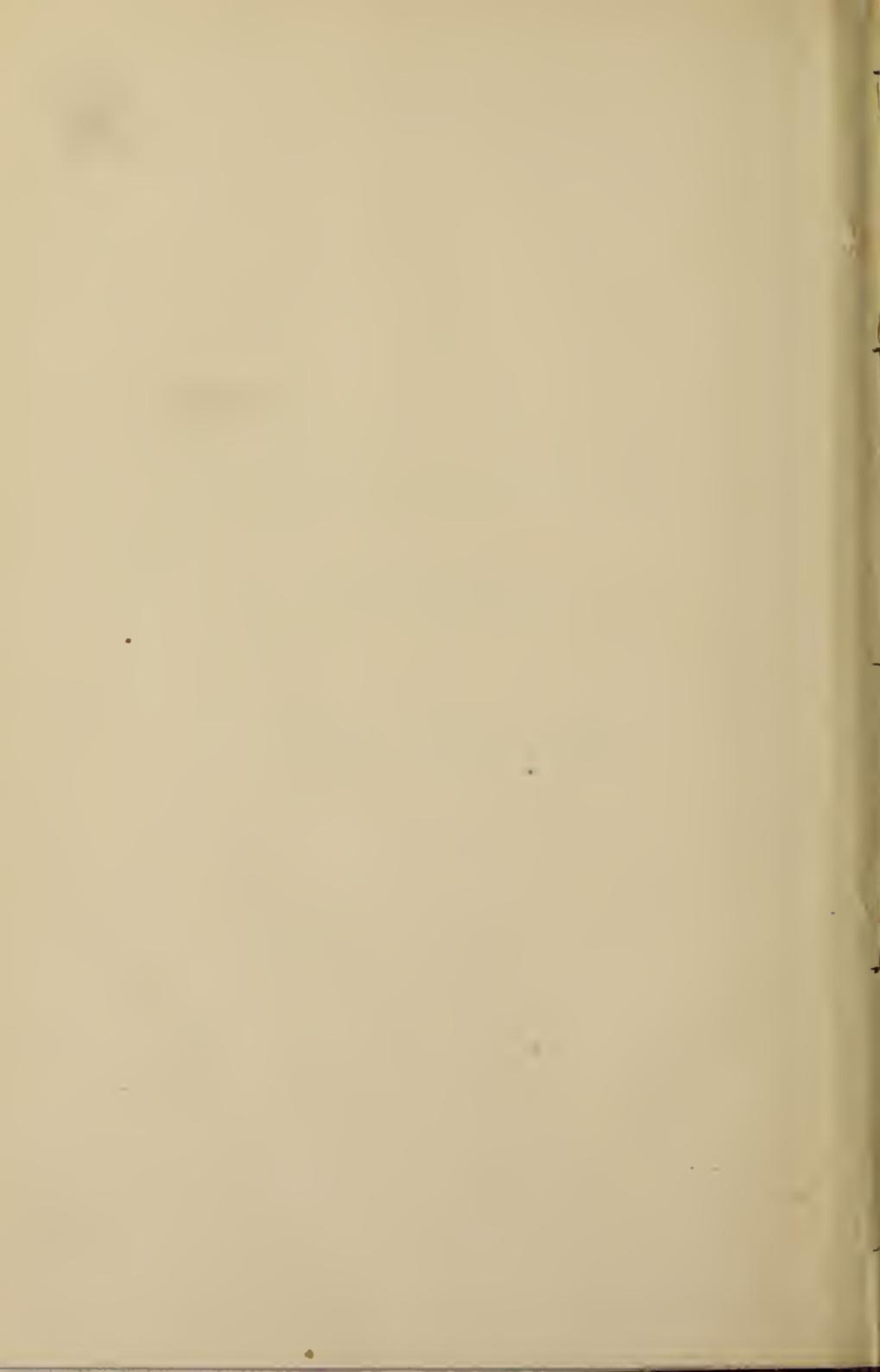
S K E T C H

OF

**Philip A. Roach.**

BY

JAMES H. BARRY.



*W*HEN a good man dies it is not unbecoming in us to mourn. The death of Philip A. Roach leaves a vacancy which it will indeed be difficult to fill. For forty years a resident of this State—during all the time more or less prominently before the public—no man was better known or more dearly loved; nor lives there one among us who will be more sincerely or so universally mourned. His accomplished education; his intelligence and quick perception; his lofty sense of right, fitted him for the highest offices of public trust. His urbane gentleness—his purity, proof against a thousand temptations—his bitter hatred of tyranny in any form—the readiness with which, regardless of his own interests, he championed every good cause, and exposed and denounced whatever would trifle with the rights of the people, won for him the confidence and esteem of his fellow citizens. Even those of opposite political faith admired his steadfast fealty to right, and no man ever dared to question the honesty of his motives. Whenever he appeared at a public meeting one toss of

his flowing white hair was the signal for an outburst of enthusiasm which was perfectly irresistible—men, women and children joining in acclamations of delight. While respected by all, it was by the “common people” he was best beloved, for to them chiefly had he devoted his life. Nature made him a gentleman, and endowed him with a mind broad enough, and a heart big enough, to rise above any narrow party, class or religious prejudice. His ambition through life was to do good. He pitied the poor and helped them; he had a tear for those in sorrow, and a tender word for all. The lame, the halt and the blind, came to him for succor, and departed content, “with blessings on his kindly head.” His death was worthy of his life. Surrounded by those nearest and dearest to him, who knew and loved him best, he passed away, with a placid smile—at peace with God and the world—

“Like one who wraps the drapery of his couch about him,  
And lies down to pleasant dreams.”



THE following little poem, "In Memoriam," was written by Oscar T. Shuck, Esq., of the San Francisco bar :

A pæan for our PIONEER !  
Let not one heart his rest deplore.  
Richer with each revolving year  
The teemful story shall appear  
Of the good man who is no more.

PITY could lead him. And his eye  
Searched out where GRIEF her mourning wore ;  
Whene'er was heard WANT's wailing cry,  
An overspreading charity  
Rolled from the hand we grasp no more.

Children would fondly run to meet  
Him who their petty burdens bore ;  
The little Arabs of the street  
And well born scions vied to greet  
That kindly presence, seen no more.

And WOMAN blessed that reverend head,  
That generous heart whose throb is o'er.  
The maiden blessed—and she who wed,  
And she who sorrowed o'er her dead—  
The white-haired knight who is no more.

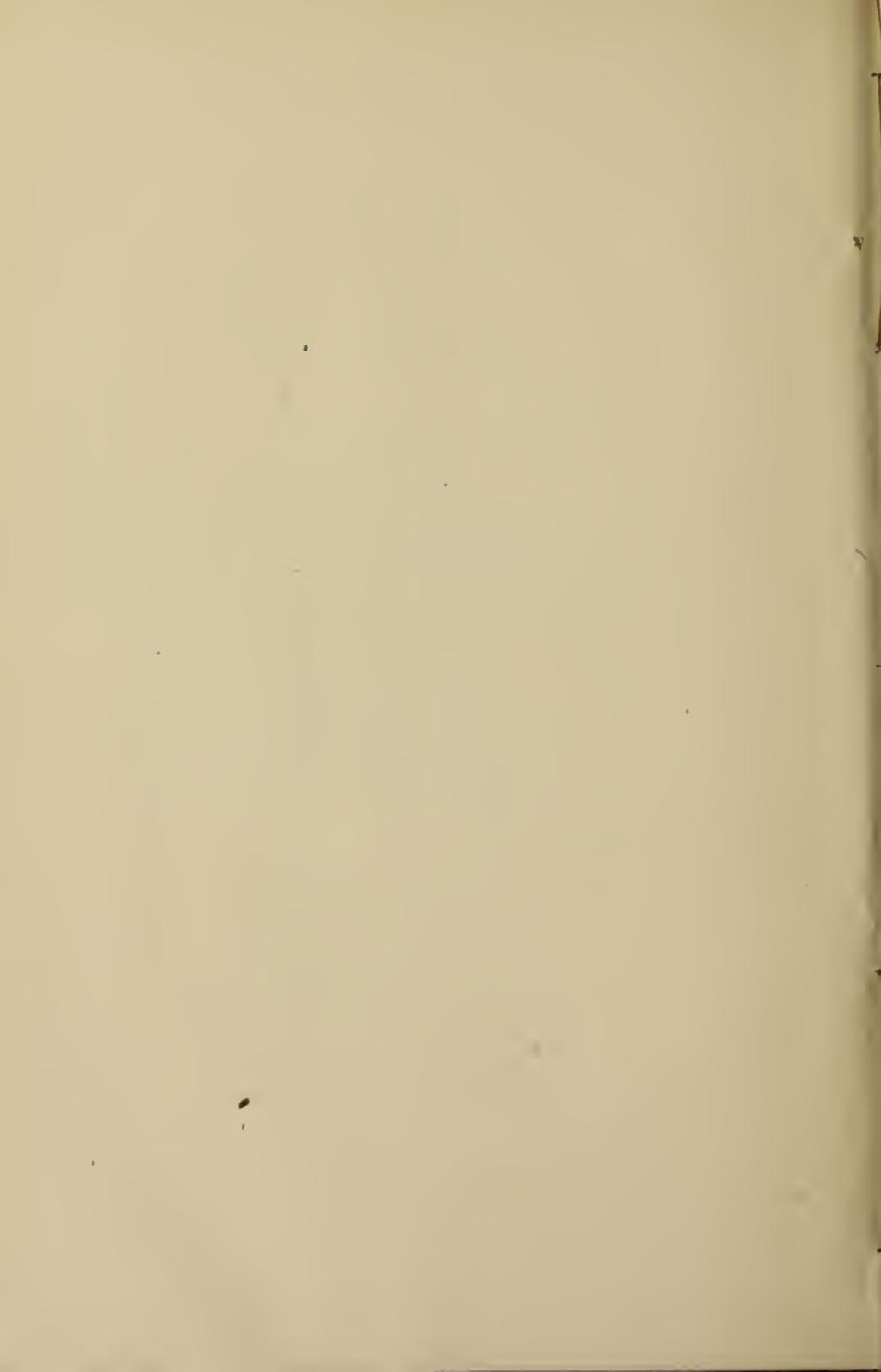
On every hand thy debtors rise,  
The volume of their tribute pour !  
For thou, so true in all men's eyes,  
Had won love's universal prize,  
O gentle heart that beats no more !

We knew and loved him, first and late,  
Let free and high our p̄ean soar !  
He helped to rear our arch of State,  
He helped to make us strong and great,  
That master-workman, now no more.

This was no stem of mortal rod,  
To wither on Time's barren shore !  
Daily accounting to his God,  
Only his dust lies with the sod—  
**HIS SPIRIT LIVES FOR EVERMORE !**

Almighty Author of the Soul,  
Our forfeit Eden O restore !  
And lead Thy children to the goal  
Where they shall own Thy fond control,  
And, sinless, rest for evermore.

THE following pages contain little more than a summary of Mr. Roach's useful and eventful life—an outline of his public services—hastily prepared for publication in the newspaper press immediately after his death. Even a large-sized volume would not suffice for a perfect biography of this illustrious man. But the facts here given—however crude may be their presentation—are of interest, for, to a great extent, they are a history of the vital political and industrial issues of the State, in all of which Mr. Roach was actively concerned for the public good.





PHILIP A. ROACH was born in Cork, Ireland, November 1st, 1820, and in 1822 came with his parents to New York. Having a remarkable linguistic capacity, he, when a young man, went to Havre, where he was attached to the American Consulate for about two years. Subsequently he made his headquarters at the Liverpool Consulate. He made several voyages on French, British, Portuguese and American vessels, which gave him excellent opportunity for forming definite opinions as to the causes and remedies for cruelty at sea.

In 1844, he visited his brother, Mayor James Roach, at Vicksburg. Just then the editor of the *Vicksburg Sentinel* had been disabled by a recent duel, and the prospect was that the paper would not appear in time to announce the news of Polk's nomination for the Presidency. Philip A. Roach solved the difficulty by assuming the duties of editor, thus making his debut in a profession in which he achieved distinction in San Francisco many years afterwards. He continued to edit the

*Sentinel* as long as he remained in Vicksburg, and rendered effective campaign service.

On President Polk assuming the duties of his office in 1845, Mr. Roach was appointed Consul at Lisbon, where he remained until 1847, when he heard from his brother Thomas (who was an officer in the regiment commanded by Col. Stevenson, serving in this State) such accounts of its prospects, that he started for Monterey, of which he was afterwards elected Alcalde, being the last to hold that office, and also the first Mayor.

He owed his elevation as much to his knowledge of the Spanish and French languages and laws, as to the confidence which he inspired. The situation was then a very critical one of transition, the American fleet being in the bay, backed by the Americans on shore; and although the treaty of Guadalupe-Hidalgo had been made, intelligence of the fact had not yet reached California. The difficulties of his position can, therefore, be readily appreciated—in a Mexican town, covered by an American fleet, and the two nations at war. But he proved fully equal to the occasion. And even after the American authority was established, the situation was such as to require both intrepidity

and tact. In 1849, Monterey was infested by desperadoes and robbers, who defied the ordinary officials. One of the worst of these was known as "Yank" Riley, to arrest whom a posse of twelve soldiers was detailed to assist the civil officers, headed by Alcalde Roach. Under circumstances involving serious risk to Mr. Roach's life, Riley pretended to surrender, and then jumped out of the window of the hotel and escaped. Mr. Roach offered a reward of \$300 for his apprehension. Twenty-five mounted men started in pursuit, caught Riley and brought him back. He was released on heavy bail, which he "jumped," went to Stockton, and was killed in a gambling quarrel.

#### A PIONEER ANTI-COOLIE.

In 1851, Mr. Roach was elected to the State Senate from Monterey by an almost unanimous vote. Early in 1852, under the idea that labor in this State was too scarce, a bill was introduced therein, under which any number of coolies could have been imported under contract, and compelled by law to work out their terms of service as stipulated in such contract. It was entitled: "An Act to Enforce Contracts and Obligations to Perform Work and Labor." It was supported by the press

and "combined capital." Strange as it may seem at this time, the bill passed the Assembly by a large majority, and was favorably reported back to the Senate by a majority of the "select committee" appointed to inquire into it. Mr. Roach—then, as ever after, on the side of right against wrong, for the people, the whole people, first last and all the time—as one of the committee, and in opposition to his party, presented a minority report, which he sustained in a vigorous speech, of which the following is a synopsis, pointing out the evils which would result from the proposed legislation. This had the effect of killing the bill.

The object of the bill is to introduce within the State of California, the cheap labor of Asia and the Pacific; for, from their proximity, it would first overrun our land—then every other portion of the globe is invited to follow their example. It provides for the enforcement of contracts made under it for a term not exceeding five years.

\* \* \* \*

The necessity of passing a law of the nature of this bill, is the allegation that "labor is too high;" hence we are called upon to enact a law, by which the surplus and inferior population of Asia may be brought into competition with the labor of our own people, as also of that of the parent races from which we sprang. The matter presents itself, in the first place, as a question to those who wish to employ labor—whether it be an advantage to obtain the labor of Asiatics, at the prices paid

where population is superabundant, or increased only by the cost of transporting it to our shores ; or, whether they should pay the prices that it now freely commands among us.

The answer that may be given to this proposition is doubtful, for, if those employing labor contemplate a permanent residence among us, there are many considerations superior to their immediate interests, which ought to dictate their answer. The capitalist who can employ a hundred laborers under this bill, can enjoy no greater privilege than other capitalists who may engage a similar number; and the competition between them, no matter how cheap the labor they employ may be, will reduce their profits to the lowest point at which wealth can draw from Asia, or elsewhere, swarms of its starving population.

\* \* \* \*

If such a system be carried out as is required, with due regard to the protection of our own people, it may become a question of far greater importance to the capitalist than dollars and cents, that the quality and not the number of the population be appreciated by those whose wealth and happiness exist in their best relations; where there is security and general prosperity; conditions existing only where capital and labor are placed upon a just equality—the law giving both equal freedom and protection.

\* \* \* \*

With "free mines," for every one to work them, the wages of labor have kept at a higher rate than is paid in any of the Atlantic States, and its effect has been to bring here thousands from every State in the Union. No law, therefore, ought to be passed, giving any one the command of labor at lower rates, or with greater power, than now prevails. No indiscriminate prohibitions should be made against foreigners (as such,) for the governments of many of those whom we might desire to exclude, place American citizens upon an equality with themselves. As regards the Chinese, we are not permitted to

enter within their walls. There is, consequently, no obligation on our part to give them the freedom of our mines. At the same time, a ruinous competition should not be forced upon the people of this State, by bringing servile labor to contend against the interest of *our own working classes*.

That population form the majority of our people; it is they who are to uphold, upon the shores of the Pacific, that Government and its principles which seem destined to make the circuit of the globe.

When, under this bill, Asiatic labor shall take its march to our State, the low price at which it can be brought renders necessary that some restriction be imposed; \* \* \* \* for we must have a population of our own race, sufficiently numerous to control it, and not depending upon the same pursuits in which this servile labor may be employed.

The mines and public lands are, by the policy of the general government and our own laws, the inheritance of the people. We have provided that homesteads shall be exempted from sale, and that ample funds shall be provided for educational purposes. Thus far, the ground-work for raising an intelligent and independent class of laboring citizens has been laid, and we should not degrade our work by placing the labor of their hands upon an equality with that of bondsmen.

\* \* \* \* \*

I do not want to see Chinese or Kanaka carpenters, masons, or blacksmiths, brought here in swarms under contracts, to compete with our own mechanics, whose labor is as honorable, and as well entitled to social and political rights as the pursuits designated "learned professions." \* \* \* \*

We have had some experience of the policy that foreign governments have pursued under our emigration laws, in burthening us with many of their paupers; but we were able, to a certain extent, to protect ourselves.

Under this bill, however, we are left unprotected against

the vicious of the Celestial Empire, whose artful rulers could easily send to our shores, not only their paupers, but their criminals.

A government as skilled as is that of the Celestial Empire, could not fail to perceive the advantage of permitting its criminals to emigrate; for it could raise an immense revenue from their exit and relieve the treasury from the burthen of their support.

From the corrupt conduct of the Chinese officials in the opium trade, if it be to their advantage, we may expect that every malefactor in their prisons will be sent here as contract laborers.

In connection with this emigration, however, it might be proper to consider the physical effects of the commingling of the people of Asia, Africa and Europe. Some hybrid races are very short lived—others are subject to diseases. With a population of so mixed a character, exposed to influences we cannot yet properly appreciate, we might permit to germ a pestilence as foul as the leprosy or the plague, to devastate the land.

\* \* \* \* \*

Every government that has legislated upon the subject of labor, has endeavored to do it with the view of finding employment for its people, and of elevating their character. Any attempt to degrade it, or to deprive honest men of work and food, increases crime, poor-houses, and prisons, and throws on capital the burthen of their support. Our government has attempted to prevent the introduction of paupers and criminals.

\* \* \* An American, living by the toil of his hands, would exercise a labor as degraded as if employed within an alms-house; for if we reduce wages to poor-house rates, it is as degraded as if performed within one of those institutions.

What Senator Roach predicted thirty-six years ago in the Senate of this State, when it was unpopular to express such views, came to pass. He was at once a patriot and statesman —a patriot because he rose above all “influences” but love of country; a statesman because he fore-saw the evils that would follow in the train of the coolie, when once he was firmly rooted in our soil.

#### THE TRUE REMEDY FOR CORNERS IN FOOD.

On January 31, 1854, a bill was debated in the State Senate (of which he was a member) intended to prevent the evils arising from speculative “corners” in flour, then an article of import, as were all the leading food staples. Flour was then held at \$40 to \$50 a barrel, though only worth \$5 in New York and \$8 in Chili. Mr. Roach spoke against the bill, on the ground that no legislature could prevent the evil as long as “we do not depend upon our own soil for breadstuffs, and instead, therefore, of making restriction upon commerce, it ought to be our duty to encourage agriculture;” that “in former times California raised grain for exportation,” but the uncertainty of land titles had prevented settlers from purchasing and rancheros

from planting. The bill was, however, passed by 14 to 6.

On March 7, 1853, he submitted to the Senate, from the Committee on Commerce and Navigation, a report against the extension of the city front at that time, concerning which the San Francisco *Herald* of March 19th remarked, that "for clearness, precision and lucidity of reasoning" the report "would do credit to any legislative body in the world."

#### ANTI-PARTISAN.

On March 16, 1853, Mr. Roach announced his independence of party trammels in supporting a bill to abolish the office of gauger, the bill having been opposed on purely partisan grounds. He said if the support of such bills was to be the test of Democracy they might rule him out of the party, and if the "Soft-shell" Democracy were to be the dominant party of this State, as they seemed to be, and to be bound together by no other principles than what Mr. Calhoun called "the cohesive power of public plunder," he would be satisfied to be ruled out, and to wait for better times and better men. Being asked what he meant by "Soft-shell" Democracy, he explained that it comprised those

who lived on the "soft snaps" and "sops" they could procure from the party, such as the fat offices of gauger, inspector of flour, lumber, ashes, etc. Thus, it will be seen, that at this early date Mr. Roach was an uncompromising opponent of machine politics.

In 1853, he was appointed by President Polk United States Appraiser for San Francisco, which position he held with honor for eight years. A Republican paper of the day, speaking of the appointment, characterized him as "a liberal Democrat, an experienced and faithful public servant, and withal a man of education." The *Weekly Herald* of April 21st commends the appointment in view of his "great fund of commercial knowledge, his accomplished education, and, above all, his purity of character."

#### AGAINST SELLING STATE LANDS.

On July 25, 1853, a letter from him was received by the Board of Commissioners to dispose of the State's interest in the beach and water property of San Francisco, a sale of some of which had been advertised for August 10th ensuing. Mr. Roach, as State Senator, had proposed the act creating the commission. It appears that the proposed sale

included "six lots forming the west half of the block bounded by Battery, Sansome, Washington and Jackson streets, designed for the erection of the custom-house and other public buildings." Mr. Roach desired to see that portion withdrawn from the notice of sale. And the property was not sold. The advantage of holding it soon became evident enough, as it is now the site of the Custom-house, Appraiser's office and Post office. The sale of the Channel street city lots, now desired by the Board of Supervisors, is just such a fool measure as the sale of the property first mentioned would have been, in the light of subsequent events.

#### HIS BROTHER'S UNTIMELY DEATH.

Several San Francisco papers of December 10th and 12th, 1852, notice the finding of the body of Hon. Thomas J. Roach, County Judge of Klamath County, who had been drowned some months previously while attempting, on an election tour, to ford one of the tributaries of that river. His remains were sent from Crescent City (now in Del Norte County) and buried with military honors, he having come to California in 1847 as Lieutenant Commanding the New York Regiment of Volunteers. He it was who induced the subject

of these memoirs to come to California, instead of accepting the appointment of Minister to Portugal, which had been tendered him.

#### SOLUTION OF THE PRISON PROBLEM.

Early in 1857, Mr. Roach wrote a pamphlet on the State Prison system of California, which appears to have attracted much and favorable attention from the press, including the *Herald* (German) *L'Echo du Pacifique*, the San Francisco *Chronicle*, the Marysville *Herald*, etc. His views were strongly endorsed by the Mechanics' Institute, of which he was unanimously elected an honorary member on March 4, 1857. The features of his system were that our convicts should be employed in reclaiming the swamp and overflowed lands, deepening the channels of the Sacramento and San Joaquin rivers, so that the largest sized vessels could load at the wharves of Sacramento and Stockton; and the employment of convicts in certain State works, so that a competition of the State with mechanical labor should not exist. The prisoners were to be allowed a percentage on the value of land reclaimed on expiration of their terms, so that they would not be left penniless on leaving the prison; and they were to be encouraged to

good conduct by means of a diminution of the time of their sentence for every month of faithful service.

The last proposition is the only one that was subsequently adopted. The problem of prison labor is, therefore, still as perplexing as ever, except to fearless thinkers, who have independently reached, at later dates, conclusions similar to those of Mr. Roach. This plan is valuable and practical in all respects, benefiting the convicts, lessening the burden of their maintenance, without involving any competition with free labor, and improving navigation. It would have averted floods that have since occurred, involving damage to the extent of millions of dollars. But fatal obstacles to its adoption were that the consequent diminution of crime would have cut off a hundred or two prison employees, and to that extent lessened the power of bosses, while the deepening of rivers would have rendered the railroad monopolists less able to levy all the traffic will bear. It is still, in substance, the only feasible solution of the question of convict labor, and its plan is more or less available everywhere.

In 1860 he was elected President of the Society of California Pioneers, and again elected to the same position at a subsequent period.

#### EDITING THE EXAMINER.

In 1865, on receipt of the news of President Lincoln's assassination, the office of the *Democratic Press* was destroyed by a mob. The paper was afterwards re-established as the *Evening Examiner*, the owners being W. S. Moss, G. P. Johnston and Mr. Roach, who, with Benjamin F. Washington, wrote most of the editorials. The paper continued under this arrangement until 1874. After the death of B. Frank Washington, George Pen Johnston became editorial writer; he was succeeded by James V. Coffey, present Judge of the Superior Court, who continued as editor until called to the Legislature, December, 1878, when James O'Meara succeeded him, retaining the position as editorial writer until the sale of the paper in October, 1880. The business management was confided entirely to Mr. Roach, and it was managed with scrupulous integrity and discretion. Although its circulation was less than that of the *Examiner* of to-day, its influence was very great, in view of the

perfect confidence felt by the public in the entire honesty of its conductors.

#### INJUSTICE TO MONTEREY—ITS CENTENNIAL.

Early in June, 1870, there was a centennial celebration in Monterey, at which many pioneers were present from various parts of the State. Mr. Roach was chairman of the committee of arrangements and representative of the Society of Pioneers, and made a speech elucidating the natural advantages of the harbor of Monterey, claiming that the pilotage charges alone in San Francisco for one, or at most two years, would build a breakwater that would make Monterey Bay an absolutely secure harbor in all weathers, and it needed no pilotage; that the capital had been moved from Monterey, where there were fire-proof buildings entirely suitable for legislative purposes, successively to "tinder boxes" at San Jose, Benicia and Sacramento, solely by the influence of speculators, at a direct cost to the State of over a million of dollars.

#### FORESIGHT ON THE CHINESE QUESTION.

On July 6, 1870, the Mechanics' State Council held an important meeting at which justice was done to the early opposition to Chinese cheap

labor on the part of Mr. Roach. The President, A. M. Winn, said: "Some saw the Chinese evil long ago; among them was the Hon. Philip A. Roach, a Senator in the Legislature of California in 1852. Then the question was before the Legislature in the shape of a bill to introduce cheap labor. Mr. Roach being opposed to it as one of the committee to whom it was referred, made a minority report, which was printed by order of the Senate. His position then taken was a correct one. Since that was written, seventeen years of experience have proved his wisdom and foresight. I have obtained a copy of his report, and ask for its reading."

It was read accordingly, and resolutions passed characterizing it as "an able and fearless expose of the evils that have since resulted from the introduction of the Chinese in this country, which should be read by every man that stops to think of the downward tendency of our working people, in consequence of the fulfilment of its prophecy."

It may be well to add that A. M. Winn was an able, early and disinterested advocate of the eight-hour movement in this State, as of the labor cause generally, devoting nearly his whole time and energy thereto when he had but few influential coad-

jutors. He was also the founder of the "Native Sons of the Golden West."

On July 29, 1870, Shattuck's Hall, Oakland, was densely crowded, at short notice, on the occasion of an Anti-Coolie meeting, where Mr. Roach, on ascending the platform, "was greeted," said the *Oakland Transcript*, "with early and prolonged applause," and delivered a "powerful and convincing address," which "carried with it the conviction that the speaker thoroughly felt all he said, and advocated the principles he enunciated because he knew they were right." He said, in this address (as outlined) that he was connected with the *Examiner*, which would always advocate the rights of the workingmen as long as it existed.

Besides an exhaustive summary of the Chinese question as to points with which we are now familiar, the address embodied the following statements less generally known:

During the ten years preceding, capital had doubled; stock in corporations yielded, even in the older States, as much as 24 per cent. annually, but wages had not increased in like proportion, while the commodities of life are taxed to the highest ratio, so as to encourage manufacturers to import cheap labor. At that time 2,500 Chinamen, he

said, were making cigars in this city for \$8 a week, for which white women had been getting \$15, but the latter did double the work each; 800 Chinamen made slippers; 2,000 were domestics; 1,000 were laboring men; 900 were peddlers, etc., and 500 merchants. There were 17,500 Chinamen in San Francisco and probably 50,000 in the State, to 110,000 voters. He advocated abrogation of the treaty as the remedy.

#### SHOULD HAVE BEEN GOVERNOR.

In the fall or winter of 1870, his candidacy for Governor was warmly urged by the independent as well as the Democratic press, in view of his unimpeachable record in responsible public positions, and especially his consistent, far-seeing and practical views on the labor and Chinese questions.

In 1872 he was again nominated for State Senator to oppose the extortions of the railroad monopoly (strenuous efforts were made at this time to secure the cession of Goat Island to the railroad), and to oppose the importation of Mongolians, etc.

#### DEFINES HIS VIEWS.

In 1873 the independent press and the people generally advocated his nomination for United States Senator. On Dec. 12th, a caucus of Dem-

ocratic legislators was held in the Senate chamber at which thirty-five were present, and the several candidates stated their views on public affairs. Mr. Roach's views were as follows:

He was opposed to capital obtaining, by law or treaty, power over labor, and therefore opposed to coolie immigration ; he was opposed to taxing the people for the benefit of favored classes, and therefore to a protective tariff; he was opposed to monopoly of land or water, and therefore that the public domain should be reserved for settlers and the waters dedicated to the use of the people residing in the regions through which they flow; he was opposed to discriminations in and exorbitant charges for transportation, and in favor of improving river navigation so as to secure competition.

#### THE "INDIAN WAR" CLAIMS.

The *Weekly Alta* of January 3rd, 1874, contained an article detailing some of the atrocities and swindles of the Indian war claims of 1832, from which it appears that, notwithstanding their fraudulent character was fully and completely exposed in the State Senate, that body passed them on May 1st, and the money was paid. Five mem-

bers, however, voted against it, notwithstanding warnings of personal danger. These five were: Broderick, McKibben, Soule, Warner and ROACH. The article states that the Legislature had been asked that session to pay \$200,000 more of such claims, to pass which at least one member had himself nominated and elected. "Fortunately," it continues, "one of the members of the Senate of that year holds position in the present Senate, and we look to Hon. P. A. Roach, who honestly and bravely opposed the swindle twenty-one years ago, to expose the rascality of the present bill.

#### PUNISHING POLITICAL CORRUPTION.

On January 5, 1874, he spoke in the State Senate in advocacy of his Senate Bill, No. 42, "to prevent and punish official misconduct," its object being to prevent bribery, and its methods being based on his experience in the custom-house, where informers receive a portion of the penalty which secures sure detection; but the interest in the penalty, which officers of the government have, occasions vexatious prosecutions; he advocated, therefore, that all the penalty in bribery cases should be given to the informer. This bill imposed a penalty of not exceeding \$5,000, or im-

prisonment not exceeding five years, on any person bribing, or attempting to bribe any legislator, or official; any member of the Legislature, or official, receiving such bribe to be punished by imprisonment not exceeding ten years, or by a fine not exceeding \$2,000, or both; informers to be paid \$5,000 on conviction of the offender. This bill was recommitted to the Judiciary Committee. It seems to have originated partly from some of the recent bargaining in regard to nominations of United States Senators. Yet at that time such corrupt methods were unknown as have since been employed.

#### ON THE TREATY WITH CHINA.

On January 7th, 1873, he introduced a joint resolution instructing California U. S. Senators and Representatives to use their influence to have Articles 5 and 6, of the treaty with China, so modified as to abolish Chinese immigration. It was referred to a committee, and on February 5th or 6th, on being reported back to the Senate, it passed unanimously. It was subsequently referred, in the U. S. Senate, to the Committee on Foreign Relations.

## FOR SETTLERS' RIGHTS.

On January 8th, 1873, he introduced a bill providing that settlers upon 16th and 36th sections that might be included in surveys of Spanish or Mexican grants, but finally restored to the public domain, should be preferred purchasers, and the time of application to be extended to one year from date of restoration, instead of being limited to sixty days, under which law a settler's land could readily be gobbled by sharks before he would be likely to know of such restoration. This bill was recommitted to the Judiciary Committee on February 3rd, and on March 4th, passed by the Senate, 24 to 8; and also passed the Assembly unanimously.

## IN DEFENSE OF "POOR JACK."

The *Post*, on October 18, 1873, contains an interview with Mr. Roach as to cruelty at sea, in which he claims that on American vessels cases of wanton and extreme cruelty are much more common than on English, French or Portuguese vessels, on all of which he had sailed; that the main cause of this was that the courts do not protect the sailor, and many merchants encourage brutality. Were these abuses rectified, he claimed, our ships would have the best crews in the world, as our people are

adventurous and inherit a taste for the sea. The remedies are for the courts to enforce penalties and "cease to make a mockery of justice;" for crews to be shipped only when sober, for shanghaeing to be abolished; cruel and unusual punishment absolutely prohibited; profane, blasphemous and indecent language applied to a sailor at sea to be as much an offense as from one citizen to another on shore, and to meet as ready and as sure punishment; the shipping Commissioner to hear sailors' complaints and bring to the notice of courts all infractions of the law. Early in the session he introduced a bill to maintain a training ship in San Francisco for boys under eighteen, convicted of misdemeanor, on which ships they would receive a fair education in the important English branches and some nautical training. The bill elicited much favorable comment from the newspapers early in February, 1874.

#### WOMEN FOR SCHOOL DIRECTORS.

On February 12, 1874, he advocated a bill permitting women to hold educational offices, referring to his introduction into the Senate and Assembly of a bill giving women the right to their own earnings [Sole Traders' bill], which became a law

in 1852, and claimed that in the twenty-two years since then he had always found women more honest than men; that in his frequent examination of records of bankruptcy, he had never found a woman who had cheated her creditors. Four years ago, in San Francisco, the Board of School Directors, many of whom were of inferior education, reduced the salaries of lady teachers to \$57 or \$47 a month. If there had been some intelligent women in that Board, instead of a few ignorant men, such an outrage would not have been attempted. It was only after strenuous opposition by a few journals that it was defeated. He came to the Legislature and used his best effort to defeat the measure, and he was happy to say that he was successful.

The bill was then passed to engrossment by 29 to 8.

On February 16th, the bill was again debated, Mr. Roach again advocating it, and it was then passed by 24 to 13.

#### FOR SHORTENING THE HOURS OF CAR-MEN.

On March 12, 1874, the Senate passed Cowdery's bill to regulate the hours of employment of car-drivers and conductors, to which Senator Far-

ley (Dem.) was the principal opponent. The *Post* says: "Senator Roach, however, came bravely to the rescue of the Democratic name, and in a telling speech, gave another proof of his sympathy in the interests of the masses."

#### FIGHTING WATER MONOPOLY.

In March, 1874, a water bill introduced by him, to enable San Francisco to secure her own supply of water by means of a direct popular vote, which had previously passed the Assembly, was pending in the Senate. The San Francisco *Post* of March 30th, said that the bill was transferred by him to the Assembly "because of symptoms of opposition among his colleagues," and that he was "entitled not merely to the credit of introducing and earnestly advocating this bill, but of originating this measure, as it was he who called the attention of the Board of Supervisors to it [early in January, 1874] and insisted that a practical proposition should be made;" that it "provides every guard against extravagance or corruption, and places in the hands of the people the power to supply themselves with water as they may see fit." The bill provided for lessening the water tax until it would become almost nominal. The bill was finally defeated by means of amendments.

In the fall of 1874, there was again a strong popular feeling, voiced by the press of the interior, in favor of Mr. Roach's nomination for Governor. The people evidently wanted him, but the machine politicians did not, and accordingly he was not nominated. He was, in 1875, unanimously tendered the Democratic nomination for Lieutenant Governor, which he declined.

#### TWO HONEST JOURNALISTS.

The Placerville *Mountain Democrat* of April 22, 1876, concludes an article, headed "To the Honor of Journalism," as follows: "We especially congratulate our noble old contemporary, the San Francisco *Examiner*, on having furnished from the ranks of its editorial staff two such able, vigilant and faithful champions of honest and just legislation; two such splendid examples of the fitness and trustworthiness of journalists as law-makers, as are Senator Philip A. Roach and Assemblyman J. V. Coffey."

#### COMMISSIONER TO ENLIGHTEN THE EAST.

Mr. Roach in 1876 was one of the commissioners appointed to visit Washington, in the interest of anti-Chinese legislation. On May 20th of that year he delivered a lecture on the Chinese

question in Chicago. The Philadelphia *Chronicle* of June 10th contained an editorial against Chinese immigration, its closing paragraph eulogizing Mr. Roach's foresight and work on that question.

On June 19th he was given a public reception by the Society of California Pioneers at the Sturtevant House, New York.

While in that city he had long interviews with Tilden and Manton Marble, one result of the latter interview being the draft of the anti-Chinese plank in the Democratic platform. Samuel J. Tilden entertained a high opinion of Mr. Roach, and placed implicit confidence in his counsels.

He talked with the editors of leading papers in Chicago, Philadelphia, New York and other cities, lecturing wherever he went at his own expense, and by these means and lectures secured extensive publicity. He also interviewed the President and every member of both branches of Congress in and for the good cause.

While on his anti-Chinese mission, Mr. Roach visited the Connecticut Legislature during session. He succeeded in prevailing upon that body to adopt a joint resolution against Chinese immigration in accord with popular sentiment in California. In this he was very materially assisted by Hon.

James Gallagher, a State Senator of Connecticut. The joint resolution was the first adopted on the subject by any State east of the Rocky Mountains, and to Mr. Roach belongs the credit of its passage.

He thus converted thousands of people who were hostile at first sight.

The probabilities are, it is simple justice to say, that Mr. Roach accomplished far more than any one man in turning the tide of both public and Congressional opinion in the East, and thus securing the first anti-Chinese legislation. Pixley, one of his coadjutors, did little more than visit Washington and have a good time. Col. Mark L. McDonald, the third commissioner, did not go East. The Commissioners were appointed by Mayor A. J. Bryant, and the sum of \$1,500 was appropriated for each commissioner. The mission cost Mr. Roach much more than the sum appropriated, which he defrayed from his private purse, and he incurred money obligations to fulfil his allotted duties. He was never reimbursed by the State or from any private fund.

The year 1877 was one of hard times and intense anti-Chinese agitation. On September 21st Mr. Roach spoke at Union Hall to a large and

intensely interested audience. He said that \$70,000 had been raised by the bankers here for a special police, which was not needed, although so many were starving. If they could raise that amount for police they could double it for public works, to be refunded by the Legislature. These works should include improvement of the Golden Gate Park and a bulkhead around the city front. Our wharf rates were a disgrace to a city with thirteen miles of water front, and with a bulkhead San Francisco could be made almost a free port. Twenty-five men had walked almost to San Jose to fill a contract for hop-picking at 36 cents a day and board.

THE VETOED ANTI-COOLIE BILL—HENRY GEORGE.

On February 1, 1878, a meeting, in response to a call for *Democrats*, was held at Union Hall, in this city, to celebrate the recent action of the House of Representatives in passing the "Fifteen-passenger" anti-Coolie bill, afterwards vetoed by President Hayes. At this meeting Mr. Roach was introduced as the first speaker, by Stuart M. Taylor, the chairman. The sand-lot gang, however endeavored to capture the meeting, and behaved in a most disorderly and disgraceful manner. The *Call* report says:

" Philip A. Roach, whose white hair glistened under the gaslight, and whose whole form shook with commingled surprise and disgust at the conduct of the audience thus far, advanced to the footlights. \* \* \* For several minutes he could not speak, but ultimately the hisses grew into applause and then into silence."

Henry George was the next speaker. The interruptions, he said, were more than disgraceful, and nothing was so well calculated to kill the passage of any law to prevent Chinese immigration as just such conduct. Turning towards Mr Roach, he said: "This grand old man should be above any jeers from this audience; for more than twenty years he has been foremost in raising his voice against the Chinese evil, and many years ago he was the means of defeating the passage of the Coolie Contract bill, by which, if it had become a law, hundreds and thousands of hired slaves could have been imported to this State under written contracts."

That the course of the sand-lotters at this meeting may have been an important factor in occasioning the veto of President Hayes, and consequently deferring for nearly three years any

further legislative action of Congress, is quite probable.

RETIRES FROM THE EXAMINER.

Early in October, 1880, the *Examiner* changed hands entirely, and became a morning paper, the first issue dating Monday, October 4th.

On March 31, 1882, the *Sutter County Farmer* published an able and exhaustive communication from Mr. Roach, dated March 22d, on the Debris problem, in which he repeated the proposition he had made in the State Senate in 1857, to reclaim swamp and overflowed land by convict labor, which was embodied in a bill introduced in 1862, when the Legislature adjourned to San Francisco, because Sacramento was overflowed. From 1873 to 1877, when he was again State Senator, he urged energetic measures on the State and General Governments to avert the dangers menacing the Sacramento Valley. The catastrophe he predicted came as the result of disregarding his warnings, and in January, 1876, Marysville was flooded.

In April 5, 1882, he wrote to the *Irish World*, calling attention to the fact, that, in defiance of the law of July 27, 1868, requiring the same protection to naturalized as to native-born citizens, and

requiring the President to take action for the prompt release of either class unjustly deprived of liberty; that naturalized citizens had been imprisoned without trial, in Ireland, for utterances which if made by a native-born citizen would have passed unnoticed; that the President (Arthur) was remarkably zealous in maintaining the supremacy of the treaty with China, and had, for the benefit of the Chinese, vetoed a bill; but had taken no action in regard to the flagrant violations by Great Britain, in these arrests, of a treaty with the United States, though required to take such action by Section 2001 of the Revised Statutes.

On May 6, 1882, he spoke at a meeting to celebrate the release of Parnell, which filled Union Hall, predicting that within thirty years the United Kingdom of Great Britain and Ireland would no longer be in existence, and in its stead would be the United Republic of Great Britain and Ireland.

In June, 1882, he was a candidate for the Democratic nomination for Railroad Commissioner for the Second District. The Convention was held in San Jose. In his speech he expressed his surprise at the absence of one member who had promised to propose his nomination, and of another who had promised to second it, but declined

to name them. The vote was 71 for Humphreys and 39 for Mr. Roach.

Thomas B. Bishop presided over this convention, which was packed with Buckley's creatures, in the interest of the railroad. There were, however, some good and brave men there, who dared to protest against the outrageous conduct of the chairman in trying to stifle free speech. Among these were Mr. John T. Greany, the attorney, who, when Mr. Roach became Public Administrator, was at once associated with him, and remained with him to the last.

#### PUBLIC ADMINISTRATOR.

The same year Mr. Roach was nominated for Public Administrator, and, notwithstanding his opponent was the venerable, honest and popular Walter Leiman, Mr. Roach was elected by a majority of nearly 5,000 votes. He was re-elected two years later. His administration of this office was characteristically clean and efficient. During his term Thomas H. Blythe, one of the richest men in the State, died intestate, and the vast estate was managed by Mr. Roach with consummate ability to the day of the accident which resulted in his death. Despite all the litigation, it is now

worth several hundred thousand dollars more than when Blythe died.

#### HIS DEATH.

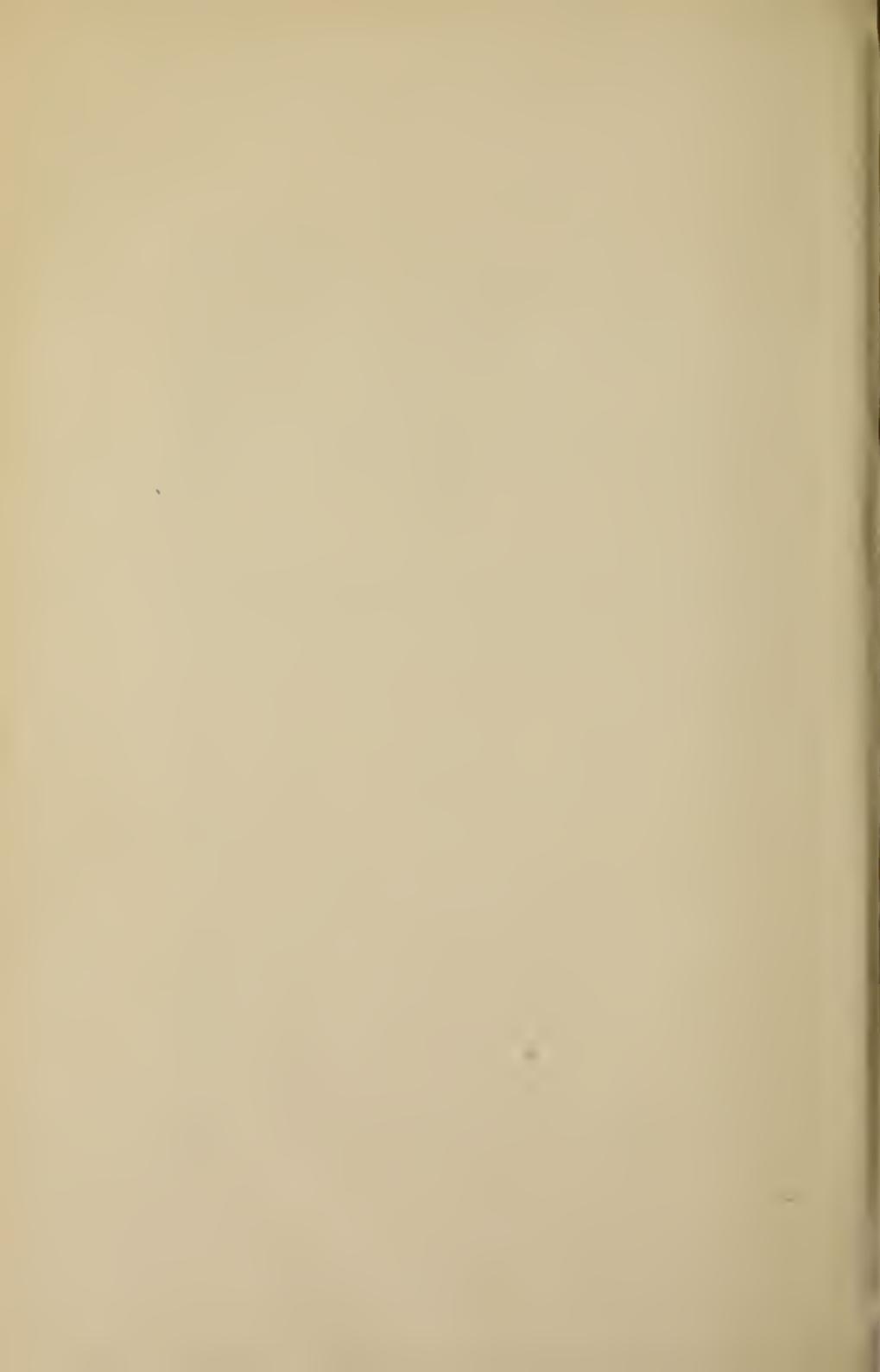
On Sunday, April 20th, 1889, in ascending the hall stairs of his residence on the way to his library, Mr. Roach was seized with an attack of vertigo and fell with such force against the balustrade as to give him concussion of the brain. His brother, Mr. John Roach, and his sister, Miss Maria, heard the crash, and when they reached the foot of the stairs found him insensible. Drs. Lane and Keeney were called at once, but all their skill and faithful efforts were unavailing. The good priest, Father Fasanotti, was untiring in his attentions to the dying man, and his words were full of hope and consolation. On Saturday, April 27th, Mr. Roach breathed his last.

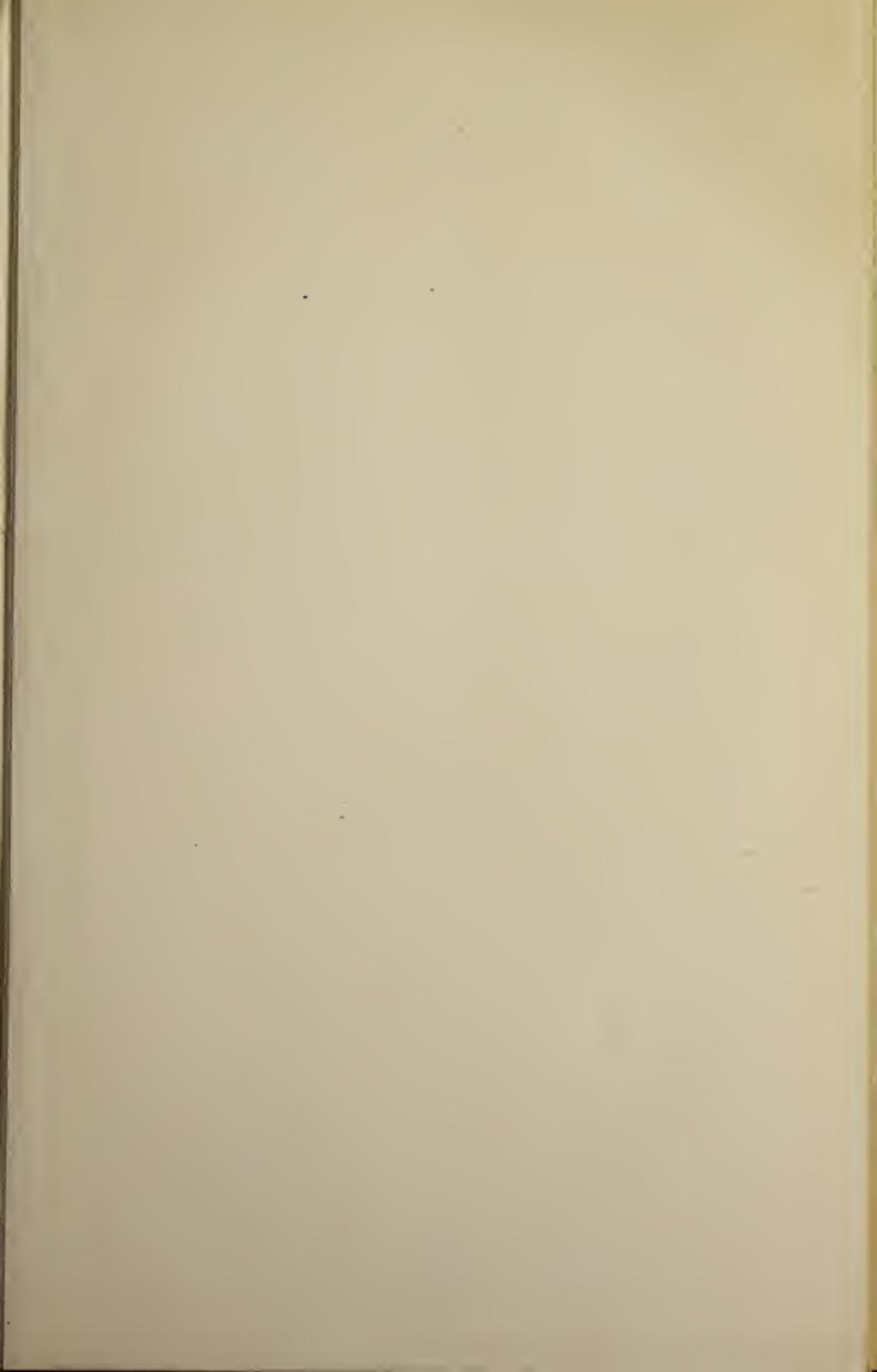
On May 1st, the funeral took place from St. Mary's Cathedral, where a high solemn Requiem Mass was celebrated. The church was thronged with sincere mourners, who, after the ceremonies, followed the body to Calvary Cemetery, where it was laid in its last resting place.

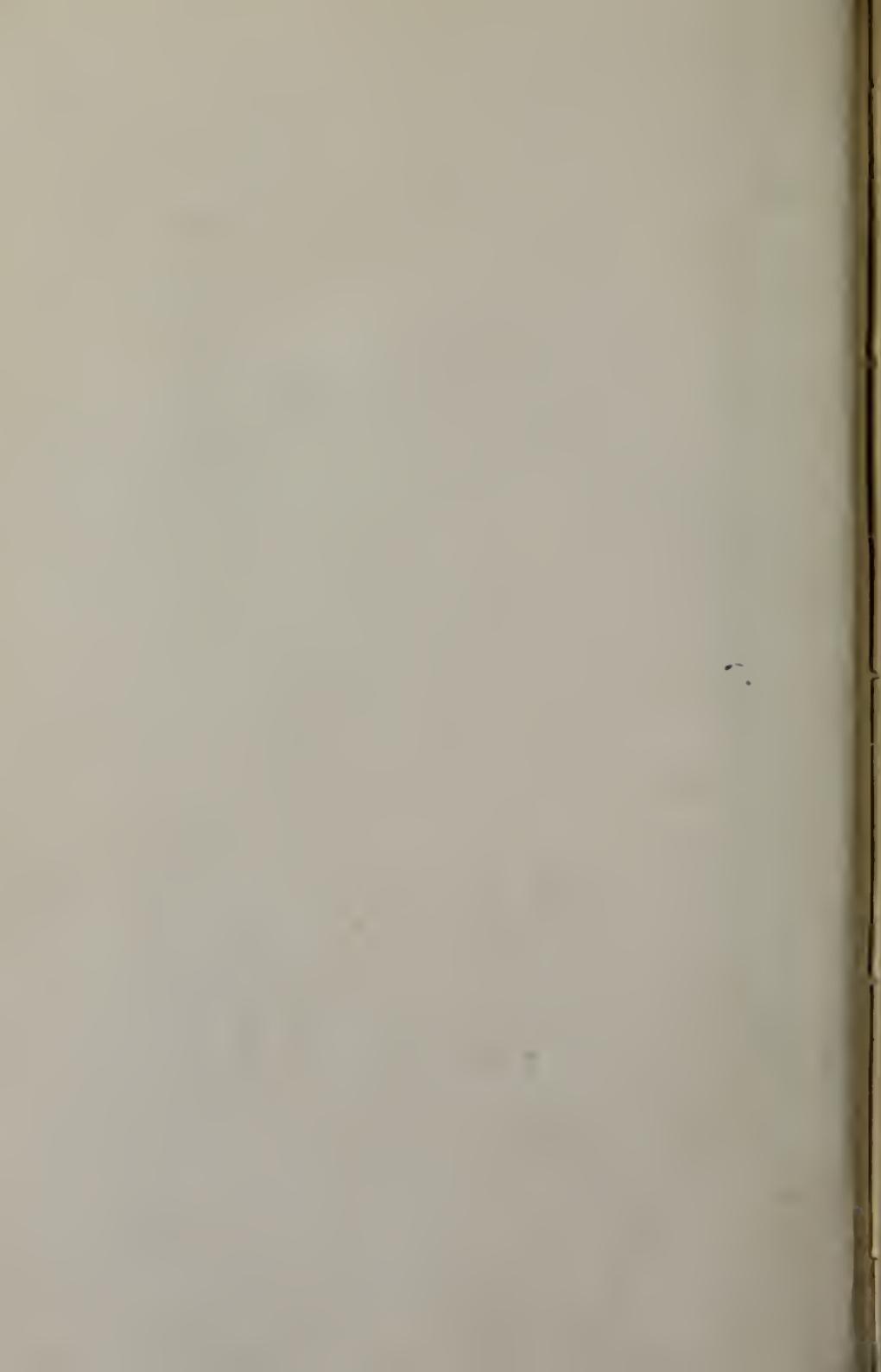
The pall-bearers were as follows: Arthur M Ebbets, A. W. von Schmidt, Nathaniel Holland

and J. H. Lohse of the Pioneers; and Mayor E. B. Pond, ex-Gov. George C. Perkins, Judge Coffey, Judge Bradford, Col. M. Murphy, William T. Garratt, James O'Neil, Judge Duthill, William Craig, James H. Barry, F. A. Rouleau, J. C. Sala, Judge S. S. Wright, John M. Burnett, James Phelan, J. J. Desmond, Major Jose R. Pico, Jno. A. Wright, F. M. Quackenbush and Michael Kane.

Mr. Roach leaves, living in this city, a brother, Mr. John Roach, the well-known optician; also two sisters, Miss Maria Roach and Mrs. Welsh, widow of the late Capt. Welsh, with her children.







CALIFORNIA ACADEMY OF SCIENCES.



## In Memoriam.

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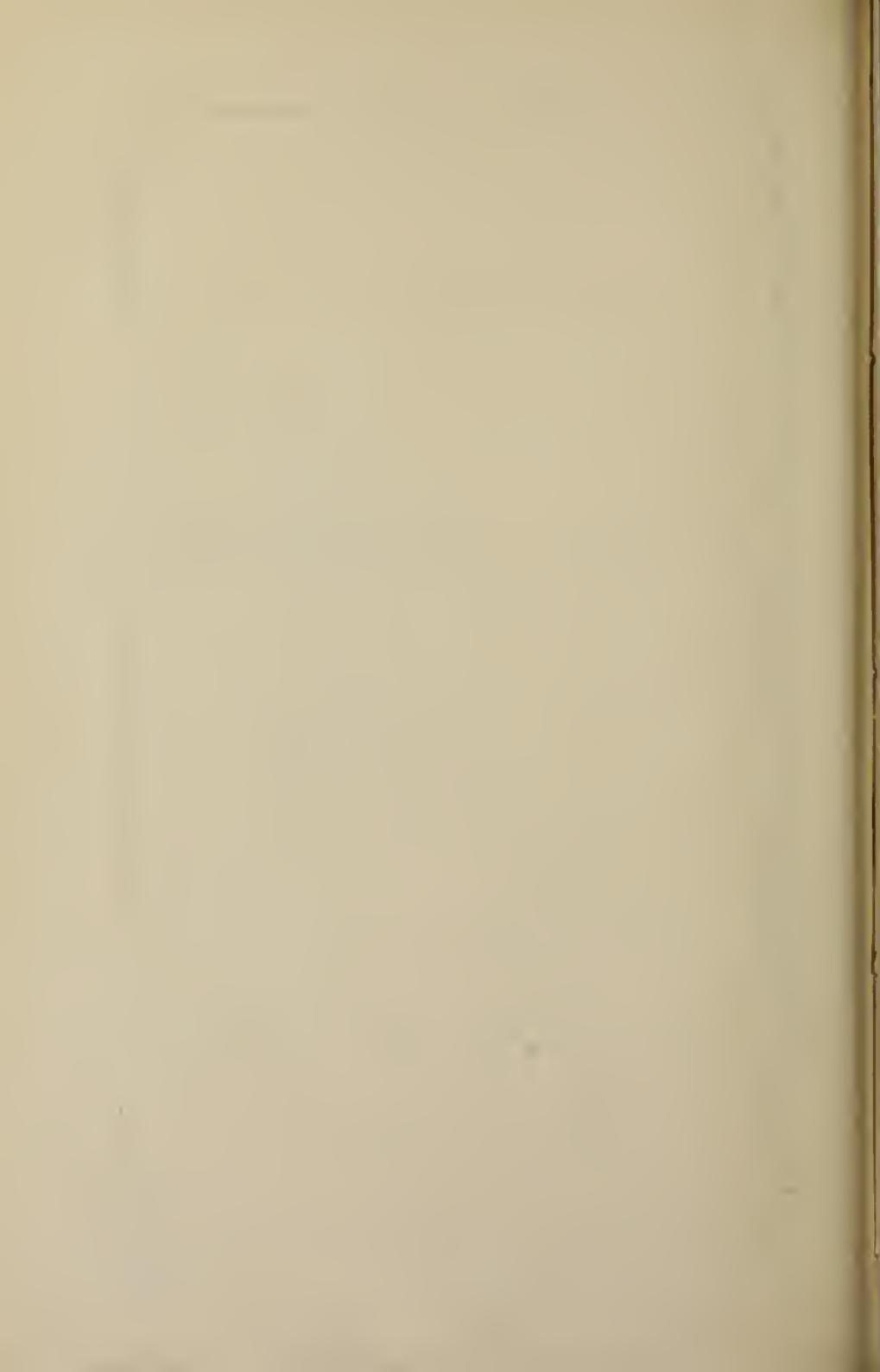
# Benjamin B. Redding

Born January 17th, 1824,

Died August 21st, 1882.

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"How sound in head, how pure at heart."



CAL.

CALIFORNIA ACADEMY OF SCIENCES.

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REMARKS OF ROBERT E. C. STEARNS

OCCASIONED BY THE

DEATH OF THE HON. B. B. REDDING,

AND THE

RESOLUTIONS OF THE ACADEMY,

SEPTEMBER 4TH, 1882.

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MEMBERS OF THE ACADEMY:

At the request of my colleagues in the Board of Trustees—as an expression of their feeling, and presumably as the sentiment of the Academy also, toward our late fellow member—I submit the following:

In accordance with the spirit and custom of civilization and society, which requires, upon the death of a prominent member, a suitable recognition of the quality of his life and the fact of his death, we have met here at this time to observe such amenities as are appropriate to the occasion.

The various positions held by the deceased in the civil service of the State at different times during the last thirty years made him *prominent*; the manner and quality of the performance of such duties as pertained to these positions entitle him to be regarded as an *eminent* citizen.

Within the large community that constitutes the Commonwealth, which bears the burden of a general sorrow, there are other smaller circles, more special and limited, to which

he was attracted by sympathy of thought and purpose, where the relation of membership induces the intimacy of friendship. His connection with the Academy was one of these, and his varied and important services in many ways are evidence of his exceeding interest in its objects and welfare.

Whatever may be the usual or customary amenities, we feel that in the instance before us, this is no conventional ceremony or cold formality.

The points of fraternal contact were too numerous, the threads of kindred sympathies too closely interwoven to admit of his departure without a sense of pain. The slow but constant crumbling of a mountain mass beneath the steady action of the winter rains is silent, hence unperceived; but when by sudden throb the impulsive earth disturbs the poise of some familiar cliff whose sculpture made the landscape notable, we start, then stand in voiceless awe and wonder at the ruin! And so the manner of his taking off.

"Thou hast all seasons for thine own, O Death!" but here it was not in unripe youth or trembling age. In the full flower of physical and mental vigor, before the autumn of decay had shown the first yellowing of the leaf, ere the echo of his cheerful voice had faded into silence, without a sign the fatal summons came—the inevitable had claimed its own.

We stand in sad vacuity, numbed by the sudden shock, or wrestling with our grief, we look around and wonder *how* it was; and then, half-conscious as a dreamer thinks, we marvel *why* it was; or else, impatient as within the thrall of some great power for wrong whose cruel mood finds humor in injustice, we ask, Why was he taken, and less worthy left?

Upon the streets are human animals who make impediment to good, and blur the name of man.

But here was one whose character in fine proportions stands, well-born, being excellent, with noble heart and great sincerity, in love with generous service for mankind,

who used his high intelligence to make things better than before, and lift his fellows to a loftier plane.

But Nature works with fair, impartial justice, subservient to the universal plan. With neither malevolence or benevolence, she moves the even tenor of her way, though beyond our ken, and treats alike, man in the full glory of his strength and power, or bird in the full beauty of plumage and of song. As in this day and time we see it thus, so centuries ago the psalmist sang, "As for man his days are as grass: as a flower of the field so he flourisheth. For the wind passeth over it and it is gone, and the place thereof shall know it no more." So thought the one whose life we celebrate, nor in it saw a germ of cruelty. All that he saw and heard, he somehow felt, are wound about a central core and plan, the whole in harmony with perfect law. The centuries of the past were stepping-stones by which the present reached its various form.

In what environment each unit lived, whose total forms the sum of generations, on which ancestral threads the currents ran, which shaped us as more or less, and made us what we are, who can detect or solve the intricate complexity.

And so perchance the poet thought who wrote, "There's a divinity doth shape our ends, rough hew them how we may"; and yet the total of each man's activity, small though it be, and but a fragile web in the vast line of causes and effects, brings into view its individual work. An eminent philosopher, contemporary with ourselves, has said, "that our volition counts for something as a condition of the course of events."

We may well believe that within the sphere of his activity here on the western shore beside the sea, the work he did, the spirit he displayed, "will count for something as a condition of the course of events." The aspect of his mind was naturally scientific; his various contributions to knowledge indicate painstaking research, orderly arrangement, a

happy command of language—in brief, the possession of a vigorous intellect and that organized common sense which is the very chief-stone of the corner in the scientific edifice. Had the associations of his early years brought him within the atmosphere of scientific circles, he would have attained conspicuous rank in this broad field of intellectual labor. To no one mind is given full equipment of all the knowledges beneath the sun. His was well balanced, and had its ordered way, and all its implements were ripe for use.

There is a wisdom of the schools, and much not of the schools; the surer wisdom embraces both. In what is called “a knowledge of affairs,” the useful orbit of the business man, his clear perceptions made him practical, so he was always ready, and could quickly act.

At home with Nature, he was natural, genial, and pure and true, with no unseemly shadows to be veiled behind an “*if*” or “*but*.”

In Nature’s presence he was reverent, and felt that behind and throughout all, there dwells a power unseen by human eye, immeasurable by human mind. He did not fathom it by metes and bounds, or care to give it name; he felt its presence like a sacred spell.

He loved the “breezy freedom of the hills” and mountain peaks, and often climbed their slopes, for Nature here he found in ample breadth. He knew the streams and all their tenants well; the paths that years ago the Indians trod. The trees and birds he greeted as his friends. He loved the monotone the breezes sing among the burly pines, and the sprightlier music of the favorite lark.

Though not religious in the usual sense, he was not irreligious. Without courtesy to sect or creed, or what is termed theology, he found their formulae, extrinsic to himself; they failed to reach or satisfy his own interior conceptions. In Christianity, pure and unalloyed by ecclesiastic bias or perversion, he recognized a noble philosophy, a pervading, beneficent influence, and an elevating and enlight-

ened law, or code of laws, for human conduct; therefore he contributed by his presence and substance to the support of those organizations which assume to make the teachings of their Master an especial work. He had a religion, however; it was natural and simple, dignified and pure, unencumbered by dogma, unobscured by tradition. It was that of goodwill and generous service.

The Christianity of the golden rule in him was spontaneous, and needed no commandment. Being so possessed, he was tolerant, and treated with respect opinions from which he differed.

" All hearts confess the saints elect,  
Who, twain in faith, in love agree,  
And melt not in an acid sect  
The Christian pearl of charity."

It is natural that we, who know the lines of thought his mind pursued, should wander from a simple expression of sorrow to trace the frequent paths he loved to tread.

In the world of physics, in the domain of matter, how vast the territory between the poles of microscopy and telescropy; but there is a distant region beyond the penetration of microscope and telescope, impervious to human ingenuity.

That which has been achieved, while leading forward to new conquests and lighting the highways to grander areas, also points to the realms of the unknowable, fenced in by the peremptory statute of human limitations. If this too finite frame is but the implement whose function, like some simple tool of handicraft, is but to do a measure of the work which the unseen but guiding will prescribes, and when unfit and worn is laid aside, its term of service ended; it may be, though unseen, that the essential part of him which guided the material tool just laid aside is not much further from us than before, or, if remote as the remotest star, pursues its clearer way, freed from the impediments which bind humanity. These things we may not know, and yet discern the limit this material form involves.

From these abstractions, serious though they be, let us retrace our steps, back to the grave of him we all lament, and, with due reverence, born of love and hope, lay down our chaplet, fresh with many tears.

In behalf of the Board of Trustees, I submit the accompanying resolutions:

*Resolved*, That the California Academy of Sciences recognizes in the death of the Hon. B. B. Redding the termination of a life of exceeding excellency and of eminent usefulness. That his death is an inestimable loss to the Academy no less than to the larger community which forms the State. That his generous nature, spotless character, public spirit, and distinguished and intelligent service, extending through many years, entitle him to be regarded as an illustrious citizen and a benefactor to the Commonwealth. That we sympathise with his family in their bereavement and participate in their grief.

*Resolved*, That a copy of these resolutions be transmitted to the family of the deceased, and furnished to the press for publication, and that the whole be spread upon the records of the Academy.

On motion of Mr. J. R. Scupham, seconded by Dr. H. W. Harkness, the Memorial and Resolutions, as read, were unanimously adopted as the sentiment of the Academy.

### SENTIMENT OF THE PRESS.

[From the "Daily Alta California," of August 22, 1882.]

THE LATE B. B. REDDING—DEATH OF AN EMINENT CALIFORNIA PIONEER—SKETCH OF AN EVENTFUL AND USEFUL LIFE—ACTION OF THE ACADEMY OF SCIENCES.—Hon. B. B. Redding, a highly esteemed and widely known resident of San Francisco, died suddenly yesterday noon at his residence on the northwest corner of California and Laguna Streets. On Sunday last Mr. Redding was in the enjoyment of his usual good health, and when he rose from the breakfast-table on Monday morning had displayed no signs of any indisposition. Soon after this he complained of not feeling quite well, and, thinking the effect but temporary, laid down on the lounge in his study, and read the morning paper. Feeling better, he arose, lighted a cigar, and started out for a walk, to get a little fresh air, hoping soon to feel refreshed, and he able to go to his office. He soon felt a dizziness coming over him, and returned to

his library-room, and again laid down upon his lounge. Then he broke out into a most profuse perspiration, after which he was sick at his stomach. Shortly after vomiting, very violent chills set in, which lasted some time; after which it was discovered that he could no longer articulate. This condition was followed by a state of drowsy unconsciousness, after which he passed quietly away, without apparent pain, at a few minutes past noon. When Dr. Marshall arrived it was too late to be of any service. The immediate cause of Mr. Redding's death has been pronounced to be apoplexy, although some physicians seem of the opinion that the symptoms more nearly resemble those of congestive chills. In 1873, he visited Europe for relaxation, ordered by his physicians, and was gone about a year. He had then overworked himself, and experienced a slight shock of paralysis at that time, but supposed he had fully outgrown this tendency by living with great care. Mrs. Redding returned about two weeks since from a visit to the Atlantic States, and was with her husband at the time of his death.

#### A MAN OF SCIENTIFIC TASTES.

Mr. Redding was State Fish Commissioner, an office which he filled with enthusiastic devotion and great efficiency. He had but recently returned from the Fishery stations on McCloud River. He was a Regent of the University of California, and President of the Board of Trustees of the California Academy of Sciences. He took great interest in all scientific work, especially in the Paleontology of our Coast, and he was an invaluable collector of all kinds of pre-historic and aboriginal relics, which he delighted to present to the museum of the Academy. His scientific papers were always full of original facts, clearly and simply expressed. Every member of the Academy will deeply mourn his loss. He was also a member of the Geographical Society of the Pacific, and his last paper was read before that body April 25th, 1882, describing his visit to the Galapagos Islands on the 21st of March, 1850. Mr. Redding was of a warm-hearted and kindly disposed nature, a strictly honest and active business man, a progressive, wide-awake, go ahead, public-spirited citizen, and such men are ever a great loss to any community. Although Mr. Redding was fifty-eight years old, his aged father still survives him, and lives at Brighton, near Sacramento. It is probable that the remains will be taken to Sacramento for interment there in the family vault. He was many years in political life, and naturally there were some whose views differed from his; but he had no personal enemies, and he was always liked and respected by all.

#### A SKETCH OF HIS LIFE.

The following sketch of Mr. Redding's life is taken from Professor Phelps' book, entitled, " Representative Men of the Pacific Coast ":

Mr. Redding was born in Yarmouth, Nova Scotia, January 17th, 1824. His father was a native of Gloucester, Mass., and his mother was born at Shelburne, Nova Scotia. He was educated at the Yarmouth Academy, where he

developed that taste for natural history, botany, travel and kindred subjects for which he was noted in his later years. When sixteen years old, he went to Boston, provided with letters from clergymen, public officers and merchants, and at once obtained a situation as clerk with the firm of Herry & Co., wholesale druggists, at a salary of \$4 per week. Upon the retirement of the firm from business, Mr. Redding obtained a situation with the wholesale grocery-store of Mausier & Reed, with whom he remained for two years. When nineteen years of age, he started in' the grocery business on his own account, with Lemuel Pntnam as partner, whose sister he subsequently married. His refusal to allow liquors to be sold in his store brought failure to the firm; and after its affairs were satisfactorily settled, Mr. Redding started in the grocery and ship-chandlery business on the Eastern Railroad Wharf, with two partners. The firm name was Bowker, Bourne & Redding. In 1849, however, in consequence of encouraging letters from a friend in California, he withdrew from the firm, helped to organize a company of young men at Yarmouth, and sailed from Yarmouth in November, 1849, in the brig "Mary Jane." Mr. Redding was President of the company which brought the brig, and the members of the company formed the crew. A cargo of lumber was taken out, and the party

#### LANDED IN THIS PORT

May 12th, 1850. Most of the company at once departed for the mines, leaving Mr. Redding to sell the brig and its cargo, which he successfully accomplished in July. After the affairs of the company had been settled, Mr. Redding went to the Yuba River diggings; but was not successful, and after a month or more of wandering with prospectors, he went to Pittsburg Bar, and began work as a laborer at \$10 per day. During his stay there, he was so distinguished for honor, sobriety and piety that his hut was named the "Saint's Rest." While there, he acted as counsel for a miner who was tried by his companions for the murder of a "Sydney duck," and obtained for his client the verdict: "We find the prisoner not guilty; but he must leave the Bar before daylight, never to return." From this time Mr. Redding was often employed in drawing papers for the sale of claims, acting as arbitrator, etc. He was soon elected a member of the Democratic State Convention, and the next year was elected to the Assembly from Yuba and Sierra Counties. During the session, he wrote for the San Joaqin *Republican*, and he was soon after made associated editor of the *Sacramento State Journal*; but the paper was soon after sold, and Mr. Redding, with another gentleman, bought in. In 1856, he was elected Mayor of Sacramento, and in 1863 was elected Secretary of State, which position he held until 1867. In 1864, he was offered the position of Land Agent of the Central Pacific Railroad, which position he accepted and held up to the time of his death. Mr. Redding was married in Boston, October 24th, 1846. He has had four sons, of whom Albert Pntnam, George Herbert Huntington, and Joseph Deighan are living.

[From "The Daily Record Union," Sacramento, August 22, 1882.]

B. B. REDDING.—Benjamin B. Redding died very suddenly at San Francisco yesterday of apoplexy. The manner of his death ought not to grieve his many friends, for it was painless and swift. He was spared the lingering decline of a protracted illness, and passed from the full enjoyment of all his powers into that mysterious realm concerning the possibilities of which he, in common with all deep thinkers, had been wont to converse with never flagging interest. The fact of his death, however, is indeed cause for widespread regret and sorrow, for he was one of those rare men who constitute the very salt and savor of society, and whose services to their kind are greater than can at all easily be expressed in conventional terms. He was an old Californian, and, as usual with that adventurous and restless gens, had followed many pursuits, having been in turn journalist, politician, State officer, business man, and scientist. He was among the earliest residents of Sacramento, and as far back as 1854 was one of the proprietors, and principal editor of the *Democratic State Journal*. He held various county offices, and was Secretary of State in the administration of Governor Low. Having been on intimate terms with the founders of the Central Pacific Railroad, it was natural that he should accept a responsible position at their hands, and for nearly twenty years he has been the General Land Agent of the company, filling that arduous post with signal ability. In 1869, he suffered the effects of too persistent labor in a stroke of paralysis, which warned him that unless he paid some regard to his health his career would be very short. Accepting the warning wisely, he at once repaired to Europe, staying there two years, and finally returning with his system apparently restored, and his mind enriched by travel.

At that time he really seemed to have obtained a new lease of life, and by careful regimen he was able to resume his labors, and to extend the sphere of his activities in many new directions. He was a man who always kept fully abreast of the best thought of his time. He read widely and judiciously. He was deeply interested in the new philosophy, and in physical science. At the age when most men have settled down into the grooves which they are to occupy during the remainder of their lives, his restless and active intelligence was busying itself with continual novelties. Nor was the knowledge of the library alone sufficient for him. His mind was an alembic which distilled all that passed through it, and his faculty of expression was such that he was able to add new incidency and interest to the subjects which he had been studying. Eminently a social man, and never contented until he had seen for himself the experiments which had suggested new theories, he was led to associate himself with the California Academy of Sciences, of which he was an active and most useful member. All his lines of thought were thoroughly practical, however, and so it was equally natural for him to throw himself enthusiastically into the problems of fish culture when he was appointed one of the State Fish Commissioners. His services to the State in that office have been considerable, though modestly rendered, and at in-

tervals he has written interesting papers on this question, some of which have appeared in the columns of the *Record-Union*.

His wide information and energetic habits pointed him out as a fitting selection for the Board of Regents of the State University, and there as elsewhere he brought all his intellectual forces to bear for the benefit of the institution. As a conversationalist, he had very few superiors, and those who enjoyed the privilege of frequent intercourse with him know how valuable were his suggestions, how pregnant his thoughts, and with what a wise yet genial philosophy he discussed all the questions which interest mankind, throwing new light upon the most hackneyed topics, and giving to the most casual conversation the charm and importance of a well prepared discourse. He had traveled much, and seen men and cities, and all that he had seen had reacted upon his receptive faculties. To a memory of great scope, he added faculties of selection and condensation which enabled him to reproduce his impressions and to apply his knowledge in the most felicitous and skillful manner. Life had not soured him. On the contrary, though he had known suffering, his kindly eyes seemed to shine more brightly as the snows deepened on his head, and the years, which too often bring in their train a gloomy pessimism, only ripened and made more genial his happy disposition.

No man had more or firmer friends, and no man ever deserved more to be loved by a wide circle. His life was not merely a negative one. It was abounding in benefactions. His leisure hours were devoted to public uses of the most practical and valuable character. The education of the people, the food of the people, the health of the people, interested and claimed his attention. The knowledge he had acquired in many ways was not hoarded, but lavished on all hands. He was ever ready to impart what he knew, and his ability to do this in the most clear and thorough way greatly enhanced the value of his communications. There can be no doubt that he possessed a mind very nearly, if not quite, of the first order, and one of the most poignant regrets connected with his death must be due to the obvious fact that his intellect was still expanding and developing when he was thus suddenly removed from the scene of his labors. Yet it is given to few men to have lived a more useful and blameless life, and his family and friends may at least console themselves with the reflection that his record was made, and that he had fulfilled all the duties he owed to the world.

It is when writing concerning a friend newly dead, and deeply lamented, that one feels the inadequacy of the commonplace expressions of regret and condolence. Nothing can compensate those who knew and loved him for the loss of such a man as B. B. Redding; and yet to those who did not know him the eulogy, which may seem all too tame and restrained for his intimates, is apt to appear exaggerated. But his epitaph will not be written in water, nor will the good he did be "interred with his bones." His memory will be preserved and honored as that of one of California's pioneer citizens whom she had repeatedly called to occupy positions of high responsibility, and who, to the close of a fairly long life, carried unstained his reputation.

for integrity, and vindicated the confidence and esteem of his fellows by the constant exhibition of the highest qualities, both of heart and mind.

[From "The Sacramento Daily Bee," August 21st and 22d, 1882.]

**THE LATE B. B. REDDING.**—A good man has gone to his rest, and a great one has forever left his earthly scenes of usefulness. For thirty years we have intimately known the deceased as business partner, friend, philosopher, public officer, benefactor, scientist, politician and statesman, and can conscientiously say that in all these relations of life we never knew a better man or more honorable citizen. As husband, father, son, he won the praise of all, as a man, he was among the best beloved; as an officer, he was always polite, obliging and intelligent; as a citizen, he was an honor to the State. His California life has been varied and conspicuous. \* \* \* There was no public man better known to the people of this State than was Mr. Redding, and none more highly esteemed. \* \* \* His death has created a void in the community that it will be hard to fill; and many an old pioneer will feel his heart grow tender and his eyes fill with tears when he hears for the first time of the death of this generous, whole-souled man and best and truest of citizens. Peace to his ashes.

[From "The Breeder and Sportsman," September 2d, 1882.]

**DEATH OF B. B. REDDING.**—B. B. Redding, one of the California Fish Commissioners, died suddenly on Monday of last week. In this death this State loses a most valuable public-spirited citizen, and one who devoted great energy to any task he undertook.

Mr. Redding has been for some years the leading spirit in the Fish Commission; the man of affairs who took an absorbing interest in all questions relating to fish and fishing, and to whose activity and intelligent direction the success of the commission is mainly due.

An ardent lover of the rod and line, and one who thoroughly enjoyed the angler's pleasures, he was at the same time imbued with a desire to advance the economic features of fish culture, and to encourage habits of scientific observation among those interested in the finny tribes.

Mr. Redding made an annual pilgrimage to McCloud River, where he spent his vacation along its streams, rod in hand. At all other times his interest in the fish was devoted to the public, and his efforts were directed toward replenishing the supply of streams and ponds, and stocking new waters.

His attention was not confined alone to the fish interest, but he also did a great deal toward experimenting with the acclimatization of foreign game birds in California. Whenever he heard of any species which he thought ought to do well here, he wrote for information, and obtained specimens.

Mr. Redding had a scientific knowledge of fishes, and strove to impart a taste for it in others. Although in a position where his time was greatly occupied, and holding several honorary places of public trust, he directed the

greater space of his spare hours to his duties as Fish Commissioner. In the Commission it will be exceedingly difficult to fill his place. One with his knowledge, energy, affability, and unflagging interest, it will be hard to find.

Mr. Redding was a warm friend, a genial companion an earnest worker, and a studious thinker. Such men as he are rare; and when they are willing to devote their energies to the public good without fee or reward, they are rarer still. The sportsmen of California owe a debt of gratitude to the late Mr. Redding for his labors on their behalf, which will keep his memory green among them for many a year to come.

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### UNIVERSITY OF CALIFORNIA.

At a meeting of the Faculty of the University of California, held on the 22d inst., the following resolutions were adopted:

The Faculty of the University of California having received intelligence of the sudden death of one of the Regents of the University, the Hon. B. B. Redding, do hereby adopt the following:

*Resolved*, That in the death of Hon. B. B. Redding the community at large has sustained a most grievous loss, and the University in particular has lost one of its most active and intelligent friends and most efficient Regents, the cause of scientific and industrial progress in this State its most strenuous advocate and practical promoter, combining in a remarkable degree the good sense of the business man, the enthusiasm of the scholar, and the active benevolence of the genuine philanthropist.

*Resolved*, That the exercises of the University be suspended on August 22d and 23d, and that the Faculty in a body attend the funeral of Mr. Redding.

*Resolved*, That a copy of these resolutions be transmitted to the family of the deceased, and furnished to the press for publication.

The Board of Regents at a subsequent meeting adopted appropriate resolutions.

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### THE GEOGRAPHICAL SOCIETY OF THE PACIFIC.

At a meeting of "The Geographical Society of the Pacific," held Tuesday evening, August 22d, 1882, the following were adopted:

*Resolved*, That this Society, fully appreciating the great loss which it has sustained in the death of B. B. Redding, desires to place the same on record; and it is hereby

*Resolved*, That the Secretary be instructed to place on the minutes an expression of our deep sympathy with our late friend's family, and that a copy of the record be forwarded to them.

## THE FUNERAL.

[From "The Daily Evening Bulletin," San Francisco, Wednesday, August 23d, 1882.]

**THE FUNERAL OF B. B. REDDING—SERVICES AT THE FIRST CONGREGATIONAL CHURCH—REMARKS OF REV. HORATIO SIEBBINS AND REV. DR. BENTON.**—The funeral of the late B. B. Redding took place this afternoon. There were services both at the late residence of Mr. Redding, on California Street, and at the First Congregational Church, corner of Post and Mason Streets. At 1.30 o'clock the religious ceremony at the house was held, Rev. Horatio Stebbins, of this city, and Rev. Dr. Benton, of the Oakland Theological Seminary, officiating. The remains of Mr. Redding were thence taken to the First Congregational Church, which was filled by the large number of friends and acquaintances of the family who desired to show a last mark of respect and affection for a man who had endeared himself to so many. The altar of the church was beautifully decorated with flowers, and large floral emblems were placed upon the stand before the choir. The Board of Regents of the University of California and the members of the Academy of Sciences, of which bodies Mr. Redding was a member, were early assembled at the church, and followed the members of the family of deceased upon their entrance. The bearers of the body were George E. Gray, Jacob Hoehn, W. F. Goad, C. P. Huntington, W. T. Reid, W. E. Brown, J. L. Willcutt, A. N. Towne, C. J. Torbert, E. H. Miller, Jr., Governor Perkins, and Dr. Simmons.

The services began with a chant, "Lord, Let Me Know My End," by the choir.  
\* \* \*

Rev. Horatio Stebbins, in the absence of Rev. Mr. Barrows, who went East on Monday, read from the Bible, and then proceeded to deliver an eloquent eulogy of the deceased. Considering the high moral character, the well-spent life, and the honorable reputation of Mr. Redding, he said that he felt that we should, instead of repeating, "In the midst of life we are in death," say that "In the midst of death we are in life." The mental qualities of Mr. Redding were of the highest order. His was a mind essentially scientific, having that indomitable courage, that steadfastness in him, that steady power of questioning and arranging facts that characterises the greatest scientific men. He had always taken the most lively interest in all the higher questions of science; and had he made science his vocation, instead of his avocation, he would have attained to a reputation in the scientific world that would have been brilliant. Dr. Stebbins then referred to his personal

acquaintance with Mr. Redding, and to the last conversation they had had together, at the foot of the largest mountain in California. The subject of the conversation was "Man." At the conclusion of Dr. Stebbins' eulogy, the choir sang "Jesus, Lover of My Soul."

Rev. Mr. Benton, in his address, which followed the singing of the hymn, referred to the passing away of friend after friend, and spoke of Mr. Redding as a young man thirty years ago in Sacramento, and his influence in the circle of friends there in the early days. He spoke of the honesty and integrity of the deceased, and of his many qualities, describing him as a man, even in his early life, who could look beyond his own narrow sphere into the broader one of benefit to humanity in general.

Dr. Benton closed his address with a short prayer, after which the hymn "Nearer My God to Thee," was sung, and Dr. Stebbins delivered the benediction.

The body was then taken from the church, and the funeral cortege proceeded to Lone Mountain Cemetery, where the remains will rest until they are taken to Sacramento for final interment.

## LIST OF MR. REDDING'S CONTRIBUTIONS TO CURRENT LITERATURE.

[Titles designated by a \* are of sufficient volume and treatment to be termed Essays or Memoirs; those with a † are briefer, and, though often of much value, are of more ephemeral character.]

Shall the Salmon be Exterminated?†

"Rural Press," October 11, 1877.

The Climate of California.\*

The "Resources of California," January 21, 1878.

Shad in the Sacramento.†

"Morning Call," June 17, 1878.

Going a Fishing.†

"Sacramento Bee," June, 1878.

Introduction of Japanese Carp into California.†

"Evening Bulletin," May 2, 1887.

Spawning of California Salmon.

"Forest and Stream," March 13, 1878.

Report of the Fish Commissioners of Fisheries of the State of California for the Years 1870-71; also for 1874-1875 also 1876-1877; also 1878-1879, 1880, 1881.\*

That Fish-Ladder.\*

"Tuolumne Independent," August 26, 1878

Sanitary Notes.†

"Argonaut," July 27, 1878.

The McCloud River; Its Game and Fish.†

The "Pacific Life,"

The Fish Commission.†

"Vallejo Chronicle."

Sawdust.†

"Truckee Republican,"

Artesian Water in Tulare Valley.\*

The History of Sacramento City.\*

In Johnson's "Universal Cyclopaedia."

The Wisdom of the Egyptians.\*

September 2, 1878.

Pre-emption of C. P. and W. P. R. R. Lands.\*

"Resources of California," October 1, 1878.

Carbon Paint as a Preventive of the Oxidation of Iron.†

"Mining Press," October 19, 1878.

Palms in the Capitol Grounds at Sacramento.†

"Sacramento Bee," November 2, 1878.

How To Kill Stumps.†

"Rural Press," December 21, 1878.

An Incident of Our Voyage to California in '49.\*

"Argonaut," November 15, 1878.

The Ice Companies.†

"Reno Gazette," January 24, 1879.

White Fish.†

"Reno Gazette," January 10, 1879.

The Salmon Trade.†

"The Farmer," January 24, 1879.

Fish.†

December 18, 1878.

Foot-hills of the Sierras.\*

"Resources of California," January 6, 1879.

Colorado Hemp.†

"Farmer," March 20, 1879.

White Fish In Eagle Lake.†  
 "Reno Gazette," July 11, 1879.

Sanitary Influences of Trees.\*  
 "Resources of California," March 17, 1870.

Rearing White Fish In Confinement.†  
 "Chicago Field," March 15, 1879.

California Salmon do not all Die after Spawning.†  
 "Chicago Field," May 5, 1878.

Wild Morning Glories.  
 "Rural Press," August 2, 1879.

Cat-Fish and Carp for Russian River and Other Streams.†  
 "Russian River Flag," May 5, 1879.

How Our Ancestors in the Stone Age made their Implements.\*  
 "Californian," August 4, 1879.

Influence of Irrigation on Citrus Trees.\*  
 "Rural Press," August 16, 1879.

Curious Facts About Trout.†  
 "Chicago Field," August 9, 1879.

Salmon a Nuisance to Trout Fishers.†  
 "Chicago Field," August, 1879.

How Fish Hear.\*  
 "Forest and Stream," September 19, 1879.

The Natural Law of Distribution.†  
 "Forest and Stream," September 18, 1879.

A Plea for Introducing the Messina Quail.†  
 "Chronicle," September 22, 1879.

Shell Mounds and Hydraulic Mines on the Pacific Coast.†  
 "Bulletin," September 13, 1879.

Fossils From Big Bone Prairie.†  
 "Bulletin," October 22, 1879.

Pacific Coast Fish.†  
 "Bulletin," January 2, 1880.

Cost of Wheat Production.†  
 "Bulletin," December 5, 1879; January 19, 1880.

Pre-Historic Treasures.  
 "Californian," February, 1880.

## Pre-Historic Man.\*

"Reno Gazette," Dec. 31, 1879.

## California Fishes.

"Pacific Life," February, 1880.

## A Close Salmon Season Necessary.†

"Bulletin" February 6 1880.

## Oranges and Olives.\*

"Bulletin," January 30, 1880.

## The Fish Commission.†

"Stockton Herald," January 24, 1880.

## Pisciculture in the San Joaquin.†

"Stockton Herald," January 3, 1880.

## Carp.†

"Kern County Californian," March 7, 1880.

## Yellow Catfish.†

"Record Union," March 8, 1880.

## Trout and Red Fish.†

"Reno Gazette" April 27, 1880.

## Shellac and Lac Dye.\*

"Rural Press"

## Camass esculenta as a Food Plant.\*

"Horticulturist."

## Wild Rice.†

"Pacific Life," January 1, 1880.

## Oyster Culture.\*

"Pacific Life," December 25, 1880.

## The Olive in Tulare County.\*

"Rural Press," July 10, 1880.

## Preserve Your Fish.†

"Advertiser," August 30, 1880.

## A Correction Corrected.†

"Sacramento Bee," June 19, 1880.

## Fish Culture.\*

"Sacramento Bee," December 24, 1880.

## Salmon Fishing.†

"Post," February 25, 1881.

McCloud Hatchery.†  
     “Bulletin,” February 19, 1881.

A Fish Question.†  
     A Fishery in the Pit River.†  
         “Bulletin,” August 16, 1881

A Sketch of the Life of Mark Hopkins, of California.\*  
     “Representative Men of California” 1881.

Nevada Nitrate Beds.\*  
     “Bulletin” August 13, 1881.

Nitre in Nevada.\*  
     “Reno Gazette” August 17, 1881.

California Indians and Their Food.\*  
     “Californian” 1881.

Salmon Culture and Canning.†  
     “Bulletin,” November 30, 1881.

Immigration, and How To Produce It.\*  
     1881.

The Twenty-fifth Anniversary of the “Sacramento Bee.”†  
     “Sacramento Bee,” January 27, 1882.

Land-locked or River Salmon.†  
     “Sacramento Bee,” March 2, 1882.

Pacific Coast Salmon.†  
     “Pajaronian,” March 2, 1882.

Aboriginal Fly Fishing.\*  
     “Forest and Stream,” October 1, 1881.

The Galapagos Islands.\*  
     “Bulletin,” May 3, 1882.

Mount Shasta.\*  
     To be published by C. P. R. R. Co., August 16, 1882.

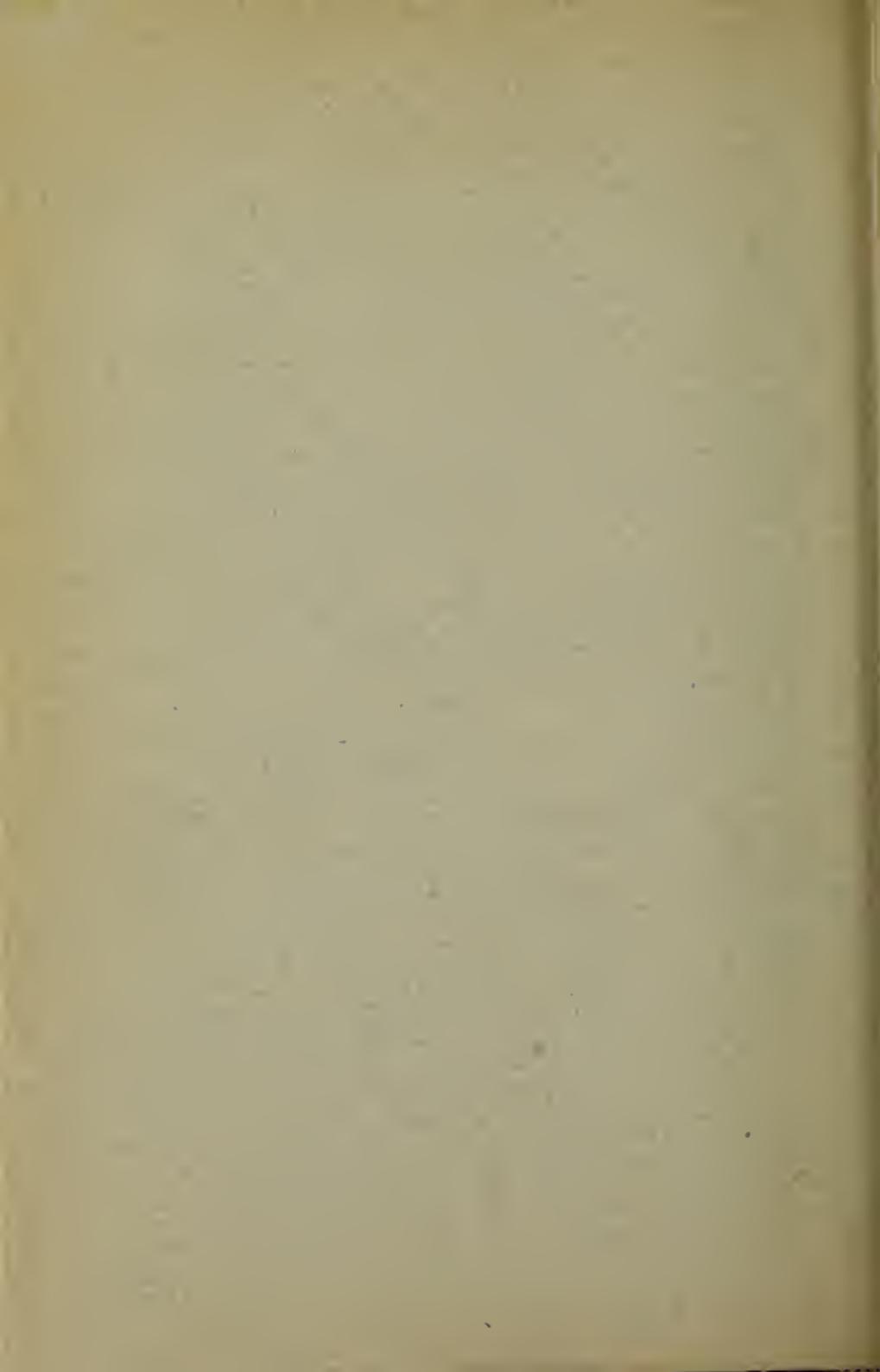
The Carson Foot-prints.\*  
     “Reno Gazette,” August 19, 1882.

Weather Notes.  
     August 20, 1882.

NOTE.—It is to be regretted that the numerous papers written prior to the first in the above list, the titles, dates, etc., have not been preserved.

R. E. C. S.

In Memoriam.



# A SERMON

IN MEMORY OF

Rt. Rev. Wm. Ingraham Kip, D.D., LL.D.

Preached at S. Stephen's Church,  
San Francisco, Cal.

On Low Sunday, April 9th, 1893,

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By Rev. Edgar D. Lion, Rector of S. Stephen's Parish.

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Printed at the request of the Vestry.

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W M. DOXEY,  
SAN FRANCISCO, CAL.  
1893.



## In Memoriam.

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*"To die is gain."*—PHIL. 1: 21.

No one but a Christian, and one who had fathomed that deep and spiritual philosophy, which is taught in the inspired volumes of the New Testament, could so express himself. It is not natural for man to feel that the great, mysterious, awful change, which comes across us, inevitably; the change which we all know must come to us individually, however we may defer the reflection, is for the better, and that to depart hence, and be with the Lord, is a change so much to our advantage, that the Apostle could truthfully say, “To die is gain.” But down through all the centuries of Christianity, in days when to be a follower of the Crucified, was to hold one’s life at the mercy of some tyrant; in days when, as Bunyan says, “Religion walks in her silver slippers;” in every tongue, and in every clime, this doctrine has been constantly taught by the Church of the Living God.

To the parent, heart broken by the side of the little child, into whose being the heartstrings have been woven, and they are all torn and bleeding by the stroke

of the fell destroyer, says the voice of inspiration, "It is well with the child; to die is gain." To the wife, stunned by the shock which has made her a widow, and before whom stretches the dreary waste of a life into which the voice of the strong, the dear one comes no more, to her in her desolation whispers in tender accents religion's consoling voice, "Weep not, to die is gain."

O, strong and helpful doctrine! overriding all our human fear of death, and in the presence of the awful change, which, passing over the sacred forms of our dearest ones, blurs them, and we are fain to hide them from our eyes, and reverently lay them in the bosom of kindly earth, mother of all, to be kept there, a sacred trust, until the awful day of God; in the presence, I repeat of that evidence of our mortality, the faith, the faith which Jesus Christ brought to us poor suffering mourners, declares in trumpet tones, "Mourn if you will, but not as them without hope, for contrary to human expectation and experience, it is not death to die." But to the Christian "to die is gain," great gain; to depart hence and be with the Lord is far better than to tarry here.

And now, at Easter tide, the Church Catholic declares again her strong and unwavering faith, that "To die is gain." In psalm and hymn, in creed and collect; in matin prayer, or when shadows fall, and men gather for evensong; at high and holy Eucharist,

always and ever does this noble assertion of the triumph won over death and the grave meet us, "Mortality is swallowed up of life."

"O death, where is thy sting? O grave, where is thy victory?" So runs the joyful song of God's Church, and so do we believe who receive her teaching, the blessed message she bears to us when faith so sorely tried might fail, that, "To die is gain." Let us believe it implicitly, Oh, my brethren! The doctrine given so long ago to them of Philippi is strong now as it was of old, comforting now as of yore, helpful to men of the nineteenth as to men of the first century. The expression of a faith potent to lift us up in that dark hour of bereavement which we may happen upon all too soon, when tapping at our door comes the veiled angel, with the wreath of asphodel, and bears away the one we least can spare.

And now, to-day, upon the festal raiment of the Church at Eastertide, all white and gold in hue, falls heavily the black and purple of the mourning of the Diocese of California for the first bishop of the See. Well does this blending of joy and sorrow, in outward sign and symbol, show the Christian sentiment which at this time marks the congregations of the faithful throughout the diocese. Sorrow for the absence of that reverend man, whose hoary head wore the crown of honor conferred by the gray hair, whitened by the snows of fourscore winters spent in the service of God.

Joy for the blessed hope of a glorious resurrection, in which, now, in the rest of Paradise, he waits the glorious consummation of all things, and the coming of the Son of Man.

Joy and sorrow then, to-day, as always in this our pilgrimage, go hand in hand. and if we mourn the Bishop departed, we rejoice over the saint who has been added to the number of those who clad in white are ever with the Lord. O, blessed compensation for earth's toil. O, holy peace, after days of toil and struggle. Because of this blending of Easter joy with the expression of human sorrow, and ere the mortality of our Bishop is laid away to rest, awaiting the call of God, at earth's latest day to arise to renewed activities, let us pause awhile, and meditate upon the lesson which the Bishop teaches us, as the last message we may derive from our father in God. And we can proceed along no better line of thought, and use no outline more suggestive, than that which his Assistant has laid down in the singularly fitting notification, but now read to you from the altar. And in well chosen words he sums up the characteristics of the late Bishop as those of (1) the Christian gentleman, (2) the scholar, (3) the citizen, (4) the prelate.

How thoroughly in keeping with our experience are these, and how well they fit in with the facts of the case. And yet, while the Assistant Bishop has told in his well expressed notification only the plain unvar-

nished truth, and has exaggerated these facts in no respect, how much more of theory must it be to him than to us who have dwelt beside this gentleman, this scholar, this citizen, this prelate, for forty years. To him these are facts to be accepted upon indubitable evidence; but to us, who are eye witnesses, they are demonstrations of what a Christian manhood can attain unto in each respect. Therefore, my brethren, let us take each illustration and dwell upon it; if "To die is gain," it must be because such points in character have been developed, and because a Christian life has been thus built up.

And first in this enumeration, is the Christian gentleman, that happy combination in which, when seen, we observe all the graces of social refinement, inspired by that divine influence which gives heart and soul to what otherwise might be only a veneering of conventional forms. And here, as we pause, let us remark, how truly was our bishop the living illustration of this union of religion gracing refinement. When, in all of our experience of him, did he ever fail in either respect? The courteous host; the genial gentleman; the presiding officer, whose greatest trial was that other men could not and would not manifest to each other in debate that urbane treatment, so kindred to his soul, that it grieved him to his heart's core to see any exhibition of the reverse; the brilliant conversationalist, whose table talk, if written down, would

delight the intelligence, and inform a later generation, who have not been so privileged as to hear him discourse on men, and travel, and reminiscences of the foremost writers, poets, statesmen, of this century.

If then from the social side of his character, we turn to that which leavened it so thoroughly, and gave it its peculiar grace, and look upon the religious side, we find a lovely, tender, gentle spirit; too modest, graced with too much real humility to be loudly expressive, but running all the deeper for its silence. We, who have seen him by the bedside of the sick and lowly, and have seen, even late in life when powers were failing, his devotion to his Master's cause and to his Lord in the presence of some sick man or women or child; we, I repeat, know whereof we speak. What is more touching, than our dear Bishop some years ago, with sight almost gone, searching for, and with the greatest difficulty finding, in a remote suburb, an old acquaintance of early Californian days, who, in reduced circumstances, paralyzed and blind, was slowly wearing away to a long deferred release from life's sorrow. And who of us is there to whom, when death entered our house, he has not come as the gentle, prayerful Christian, bringing us the balm which Christ imparts to wounded hearts. We bear witness this day, that he was both Christian and gentleman.

We hear much, in this portion of the nineteenth

century, of the culture which is so fair an ornament of society, and in our observation of what belongs to our generation, we lack, somewhat, appreciation for the things of a day gone by. As an example of literary style, we may, without hesitation, point to the beautifully polished periods of the volumes, which have made for him a "monument more enduring than brass." How often, too, have we listened to the melodious sermons, which were the delight of the last generation, and which, for several years, have no longer pleased the ears and instructed the minds of the faithful. They linger in our memories like strains of music; once heard, not to be forgotten; full of sweet suggestion and tender association. Perhaps, however, the book for which the Church owes to him the deepest debt of gratitude, is the well known "Double Witness of the Church;" so strong an argument for the faith and order of the Church is here presented, that we may well believe that its influence has brought many within our communion; and its force is in no wise lessened by the fact that, born and brought up in a strongly Calvinistic communion, it is the fruit of conviction, based upon deep study, and may be taken as the result of reflections which brought him out of the Dutch Reformed communion into that of the Holy Catholic Church.

Our late Bishop held a position in this community which was a well known and defined place as a citizen

of the State of California. Not always was he appreciated, and frequently was he misunderstood. From the force of those very characteristics which we have but now discussed, he was, in the nature of things he had to be, the good citizen. And here we may note the influence which after forty years he has exerted in this community, the influence of uprightness and of real consistency; of an example and standard of life which would not condescend to meanness of any sort. As we look at the forty years in which he has lived and labored in this community, we fail to find any reason for criticism of his acts or of his life. He never sought the acquaintance or friendship of those whose only claim to social position was a hoard of ill gotten gain, but held himself aloof from such, feeling that he must not sully the purity of his life by association with that which was base and vile.

In business relations—for even a clergyman must in some slight degree come into business life and have dealings with those who are occupied with commercial transactions—his course was marked by the most scrupulous sense of honor, and probably no man is held in greater respect than he is upon this very point. Always ready rather to suffer wrong than to do wrong, he stands out in the minds of business men as one who held his honor as above price and to be maintained at any cost.

But after all, it is the *prelate*, who is most clearly in

our minds to-day. As we look toward yonder chair now draped with mourning garb for him who will never again take his seat in the sanctuary, and remember the benign presence of the godly old man, who so often sat there, and from thence blessed his people, we recall many tender memories of the good Bishop who spoke to us those brave and kindly words, when at confirmation, after the execution of his apostolic office, he encouraged the newly confirmed with counsel, and advice.

And, not to dwell on these things with which so many of you are familiar, and for once venturing to refer to personal experience, permit me to dwell upon my own recollections of the young man in the prime of his strength upon whom I often gazed as he rode through the streets, or at whom I looked with childish awe, when he ministered in the parish church where I was brought up. How his words to the class with which I was confirmed, still are treasured in my memory; and later still, how pleasant was the greeting I received from him, when I went to speak of my ordination, and encouraging me, he spoke of childish days in which he remembered me. Sweeter still, and a privilege, to be accounted such, all the days of my life, is the memory of those ever holiest days, when by his apostolic hands, I was set apart to the sacred offices of deacon and priest.

And as memory rejoices over its records of these

personal relations, so also of days of social intercourse, and of long conversations of personages in the church, and stirring times when burning questions well nigh divided the household of the church. Let me bear loving witness, my brethren, that to me he was truly the Father in God. And in this you too may claim your share, for has he not been ever to us, the good friend, loving to come, simply to join in our worship, and share our devotions. And to these later memories, let us add earlier reminiscences, of our days of initial struggle, when all was uphill work, how it was his determination that sent me, long years ago, to work and live among you. And some there are yet with us who may recall that stormy Easter Day of the year 1875, when forsaking the grander services of the great churches, he came to the narrow little room, where our tiny congregation was worshipping, and preached for us, and bid us God speed, rejoicing greatly, in our joy over the large offertory, which made the real start for the work, and laid the foundation of the parish. And so through the revolving years of our parochial existence the Bishop has been to us the good friend and faithful chief Pastor, always taking pleasure in the smaller, as well as in the greater affairs, and showing in all of our news the kindly interest so gratifying to us all.

But we have, in treating of him as the Prelate, limited ourselves to personal relations, and to relations

with this parish. There is, of course, always to be considered the wider scope of the Episcopate, but on that theme there is so much to be said that appertains to his biographer, rather than to this tribute to his memory, that we must pass on to the lesser characteristics, which however go to make up the character, which lies before us.

Again asking indulgence for personal mention, may I not recount what fell under my own observation: Some years ago it was my pleasant duty to make some long journeys with him into the interior, as his chaplain, and I was able to judge, somewhat, of the estimate in which he was held by the people in the mountains, among whom in the early days of his episcopate, he had gone bearing the precious seed of the Word. And however much, association, and natural reverence for both the man and his office had influenced me, prior to this time, the manner and attitude toward him, of those with whom we came in contact, deeply impressed me with the great respect in which he was held.

Our journeys brought us into contact with all sorts and conditions of men, and from them all, without exception, deference and reverence were the distinguishing marks, the conductors on railways, the drivers of conveyances, the hotel keepers, all from whom any service was to be expected, showed that they regarded and cared for him. And, we who know, and perhaps appreciate, the Californian feeling, which distinguishes

between man and office, and cares rather for the man, we, I say, can understand how in the olden days, when in the face of the wild excitement of the time, when every canon had its band of gold seekers, the Bishop had gone from camp to camp and preached the gospel, and the deep and warm feeling we observed in the mountaineers was the fruit of the labors, and of the example of years gone by, and as I write these words I recall our journey over the mountain roads, and the mouldering signboards by the wayside, with the queer names for the camps, and as I read them, how the Bishop's face lighted up, and his quiet remark, "Yes, I was there in such a year." And so we may well believe that those in whose eyes I saw the tears of joy at seeing him again felt that he was truly their bishop, and if they laid but little stress upon the term prelate, they recognized in him a Reverend Father in God, whose presence was to them a benediction.

And now we must bring these meditations to a close. The long episcopate of forty years is ended. The Crosier has fallen from his grasp, the days of toil, of anxiety, of care, and all the weariness of life's pilgrimage, all these things are over; best of all the days when he has had to stand aside and wait, they, too, are over. And how patiently has he borne them, the days when the student has been obliged to lay aside his loved pursuits, or depend upon others for the information he loved so dearly to cull himself. The priest has ceased

from the altar, the Bishop from the Episcopal chair. He lies vested, in yonder mansion, in the robes of his office, fair in his serene old age, noble in the fixedness of death. But, the life and labors of the years gone by remain. Upon foundations broad and deep, laid by the pioneer Bishop, will his young successor build the fair fabric of the future, and in the days to come, while men admire the superstructure, will be found those, who will descend into the crypt, and note the foundation stones which, so fairly laid, have made the edifice a possibility.

And so, oh brave old man, who art no more of earth, farewell. Thy labor is done. Thy warfare is accomplished. In all sincerity hast thou kept the faith. In all fidelity hast thou maintained the duties of thy office. Good friend! True citizen! Student of letters as of theology! Pure, high-minded Christian gentleman! Apostolic Bishop of the Church of God! Hail and farewell.

To thee be rest eternal.

To thee perpetual light. *Amen.*

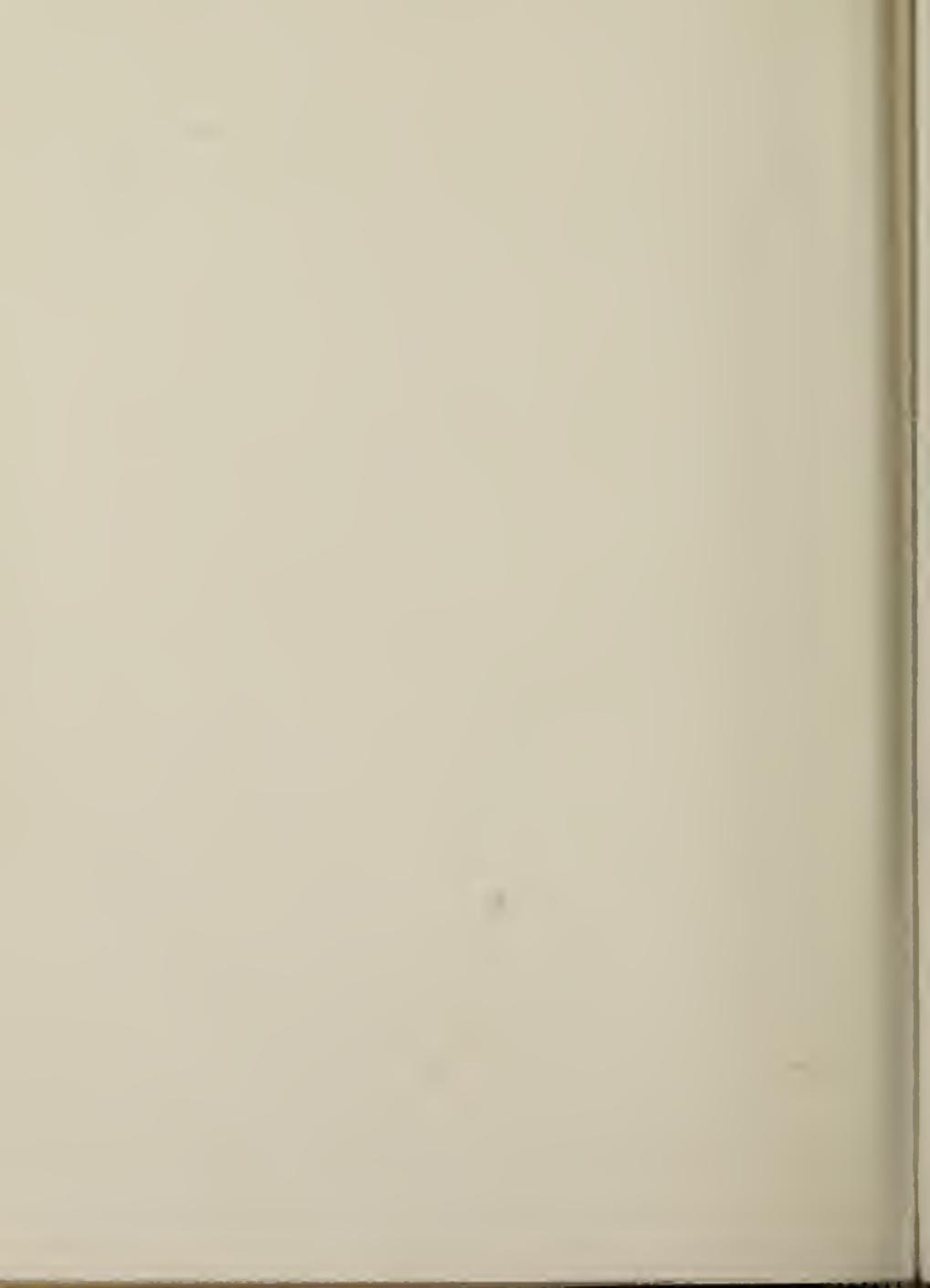






“AN OLD STRAW.”

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# ADOLPHE ISAAC CREMIEUX

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## The Mordecai of the Nineteenth Century

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Reminiscences in the Life of the Great Jewish-European  
Philanthropist

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By RABBI A. BLUM, Los Angeles

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Los Angeles, Cal.  
Kingsley-Barnes & Neuner Co. Print  
1894

TO  
THE MEMORY OF  
JESSE SELIGMAN

THE JEWISH-AMERICAN PHILANTHROPIST.  
THE PROTECTOR OF THE WIDOW,  
THE GUARDIAN OF THE ORPHAN,  
THE FRIEND OF THE NEEDY AND HELPLESS,  
AN HONEST UPRIGHT MAN

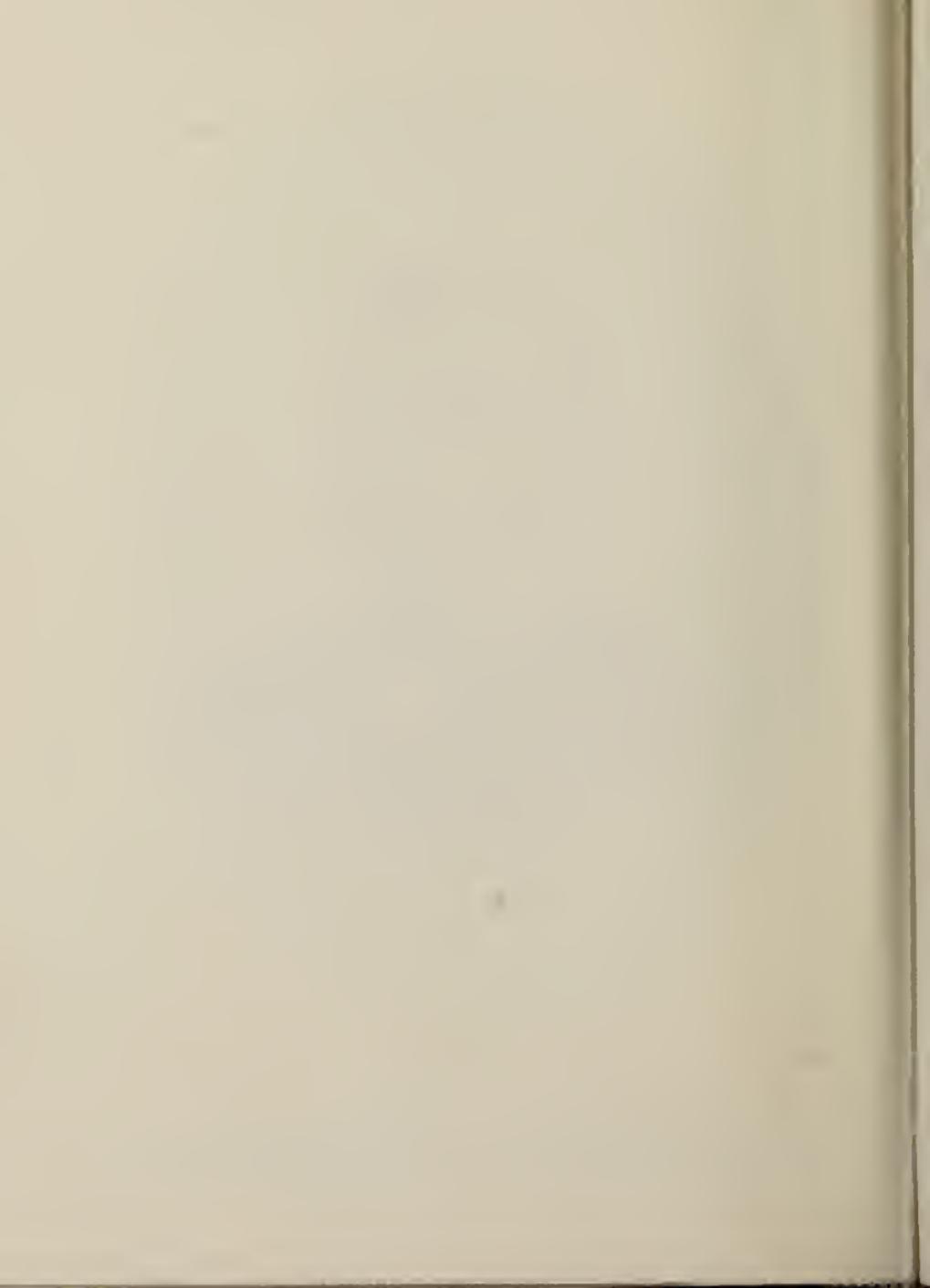
THIS VOLUME  
IS RESPECTFULLY DEDICATED BY

THE AUTHOR



### JESSE SELIGMAN.

" My success, whatever it has been, I attribute, first, to the fact that I had the good fortune to become a citizen of this great Republic, under whose beneficent laws the poor and the rich, irrespective of race or creed, have equal opportunities of education and material prosperity; secondly, to the fact that I have always endeavored to extract something good rather than evil from everything that has come before me, which has had the effect of making lighter the cares and tribulations of this life; in the next place, to the great assistance of my good brothers, to the companionship and advice of a loving wife and children, and, above all, to a kind and merciful God."



## ADOLPHE CREMIEUX.

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Adolphe Isaac Cremieux was born at Nimes, France, on the 30th day of April, 1796; as it were, on the day after the immortal French Revolution, which by her principles and her laws had built up such a barrier between the past and the present, destroying the prejudices of yore, by inviting all her children to participate in the rights she conferred, and fulfill the duties she inspired; that beneficent revolution which made of the Jews (pariahs the evening before) citizens and children of France. From a tender age M. Cremieux showed exceptional capacities. While pursuing his studies at the college Louis-le-Grand in Paris, he was laureated at the general examination; and from this great success everyone prophesied a great future. Among all the careers that were then open to the activity of that young and strong generation that numbered among them the Remusats, the Mignets, the Guizots, the Thiers, and so many others that honor their epoch as well as humanity in general, Cremieux chose to become a lawyer.

At the outset Cremieux entered in league in that great struggle against the prejudices which existed against the Jews, who had been placed without the pale of the liberal careers.

The day had arrived on which he and other young lawyers were to take their oath, he was the only Jew; his colleagues

were either Catholics or Protestants. The President of the Court, who was charged with the taking of the oath, proceeded towards everyone of the colleagues of Adolphe Cremieux in accordance with the usual custom; he read the formula of the oath, and then every young lawyer was asked to raise his right hand and say: *I swear it.*

When came the turn of Cremieux, the President remembered at once that he had a Jew before him. "Pardon me, Maitre Cremieux", said he, "I have forgotten to summon the Rabbi, but he will soon be here, for I will send for him and he will bring the Bible and then you can take the oath." Cremieux was for a moment thunderstruck; he cast his astonished glance upon the President, upon the associated Judges, and upon the audience; his eyes scan the entire room; then with a powerful voice he exclaims: "Where am I? Where are we? Am I in Asia, in Africa, or in one of the savage countries, is this perhaps not the soil of France upon which I stand? Am I not before a French Court, and in the presence of French magistrates? I am a Jew, that is true, but before being a Jew I claim my title as a Frenchman. A Frenchman and a Jew I am, and I wish to be the equal of a Frenchman and Christian." And then raising his hand he said, "I swear fidelity to the law, to the King (for it was in 1817), and to my country." That exhibition of firmness and power took the President and his associates by surprise; but in the presence of a justly revolted conscience they declared the oath valid.

Such was his debut in the great cause he undertook, to have erased from legislation the famous oath "More Judaico,"

that oath which was administered to the Israelite as a particular formality, and contrary to what was done in the case of a non-Israelite. That oath in fact had no value save when given in a synagogue, in the presence of the Rabbi, the hands resting upon the Thorah. This was an outrageous distinction, because it was thus intimated that the Jew was not bound by the sacramental formula, *I swear it*; and Cremieux could not stand such an outrage done to him and to his co-religionists. The pleadings before the Court of Nimes in January and June of 1827, prove that is was not simply a lawyer that pleaded, but an apostle who preached. They were the accents of a sincere man that touched and moved: "Yes," said he, "it is a Jew that battles for his hearth, his household gods and his religion, for the most precious of all his liberties. Why am I fearless, why am I filled with hope? It is because I plead with perfect right and you are my jndges."

And later on he said again: "Gentlemen, there is too mnch pride in that pretense of the sects of a religion founded upon ours to think themselves legally better than we are. They crushed ns for 1800 years; is this a reason that we are not as good as those that have crushed us? Still there are numerous other arguments more conclusive. And, finally, why do I need so many concessions? I do not wish to make any; I have the law, I have its text, I have its spirit, I have the charter, I have my right, I claim it, I want it, and wish it wholly. I am as much a citizen as you are, I am a Frenchman like you; you have adopted me; the contract made between you and me is irrevocable; it imposes dnties

upon me, I shall fulfill them ; it grants me rights and I will have them. There is no power on earth that has a right to ask of me an account of my religion ; my conscience is my own, as yours belong to you."

And thus more and more impressive, more and more energetic in claiming his rights, he made the courts of Nimes render these two celebrated decisions, that guaranteed to the Israelites of the south of France the same prerogatives as to the citizens of other religions. The Israelites of the south of France alone benefited by this act of justice, for the Jews of the East were yet without the pale of the common law. They sent an address to Cremieux, and the young lawyer of the Court of Appeals starts out in 1839 with more ardor than ever and goes before the Court of Saverne, Alsace, and argues that celebrated question of "*More Judaico*", when a decision of the Court of Appeals commands that a sole and supreme formula of oath should be used for all Frenchmen.

So did one day cries of horror and agonizing news come from the Orient. An infamous calumny, a horrible tale, as Cremieux himself said, came to his ears from across the sea. Some Jews in Damascus were accused of having assassinated a Catholic priest and his servant, using the blood for Passover. This happened in Syria in 1840. That odious lie took shape and the French papers echoed the cowardly calumny.

French and English Judaism were stirred up by this sinister accusation ; Cremieux was then the President of the Central Consistory. Cremieux had been chosen by all the Jews of Europe to start for Damascus and demonstrate the falsity of

the accusation. In vain did the editor of a paper try to stop him in his project, insinuating maliciously that perhaps there might be some foundation for the accusation.

"Mr. Editor," wrote he, "be assured that if I believed my presence was needed in London, Damascus or Alexandria, I would leave all and everything in order to save some unfortunates; and this is not because they belong to a religion to which I was born, but because it is a religion against which they wish to direct a fearful persecution."

Cremieux left to avenge the Jews of Damascus and through them all the Jews. He passed through London and joined that noble old man, that sainted patriarch of modern times, Sir Moses Montefiore; and these two, armed with that invincible power which conviction alone gives in defending a great cause, go to the pasha, they go to the Sultan, and never rest until the prison doors are opened, wherein sighed and languished those martyrs of faith, and their innocence is proclaimed. England and France, France and England clasped hands in the persons of these two Jews.

Cremieux and Montefiore represented truth, and truth conquered fanaticism. During his stay in London a great gathering took place favoring the emancipation of the slaves. Cremieux was present and was invited to speak.

"Gentlemen," said he, in one of those warm, improvised speeches of which he alone possessed the secret, "all freedom is akin and clasps hands. Persecute, and you make slaves; proclaim equality to all, and you create citizens. I am a

descendent of those Hebrews that were the first to proclaim abolition of slavery."

Still preoccupied with the aim of his voyage he added : "The Jews were the first among all nations that abolished human sacrifices, and yet to-day in the Orient, in the place where their religion formerly shone so brightly, they are accused of having slaughtered Christians for one of their religious ceremonies.

"Here I represent France, but am the guest of England ; to France and England was reserved the honor to eradicate prejudice, that child of fanaticism. If my voice can be of some service, it will never fail those that implore it : I desire the emancipation of the slaves because they are human beings. I want liberty and equality for the Jews because they are men."

And thus impressed with all he had seen and all he had observed in that memorable voyage to the East, after having saved the Jews from fanaticism, he wished to draw them out of ignorance and raise them through education. He founded schools for them at the expense of his own fortune, and sowed the seed of this vast association, the Alliance Israelite Universelle, whose most powerful promoter he was, and whose President he remained until he died.

On his return from his voyage to the Orient nothing but joyful exclamations and applause greeted him on his way. From Corfou and Trieste to Frankfort, his return was hailed in triumph. Outside of Trieste there is an enormous elevation of four or five kilometers called the brow of Opchina. Three

thousand Jews, some in carriages but most on foot, accompanied him to its top and bade him adieu with their eyes filled with tears. In passing through Vienna, the Prince of Metternich received him, and his German co-religionists had a solid gold baton of a marshal made for him, with an inscription carved thereon. In Germany, in Austria, in Italy, in France, everywhere they organized subscriptions in order to present him with royal gifts, and perpetuate the souvenir of his voyage to Egypt, and the victorious achievements which were due to his courage and manly eloquence. But he refused all these presents and asked that the same be destined for a better purpose; and at his appeal there came forth the subscriptions for the foundation of the great alliance that had for its aim to raise all Jews morally through education, and to defend their cause always and everywhere. He obeyed his feelings in going to Alsace in 1848, in order to defend the Jews who had been plundered and to whom he caused justice to be rendered; he listened to his feelings again when in 1870, profiting by his position in the government of National Defense, he made citizens of the 30,000 Jews of Algeria; 30,000 devoted citizens of France, whose emancipation he had proclaimed by an ever memorable decree. Having remained in the back-ground, during the imperial regime, he had never been either in the Tuileries, nor at the Court. But, when, in 1867, the Jews of Roumania were massacred and his oppressed and persecuted brethren needed a defender, he silenced his political conscience and went to see Napoleon, to solicit the support of his authority in favor of the Roumanian Jews. On entering the Imperial Cabinet

he could not retain a natural feeling of awe that came over him in remembering the Coup d' Etat; but, overcoming it, he advanced toward the Emperor and said: "Sire, they strangle my brethren." Then, stating the aim and object of the audience he had requested, Napoleon received him favorably, and telegraphed at once from his own office an order to stop the carnage. And yet with all this there unfolded in the midst of his patriotism his wide-awake generosity and love for his fellowmen. One of his colleagues of the French Senate in speaking of him said: "There never was any suffering anywhere, or any injustice done to anyone, that he was not ready to aid either in his own person or with money; were it a question of raising the ransom for France, or assisting the humblest unfortunate. And in fact he was the first that subscribed 100,000 frs. for the liberation of the country, and he one day sent 50,000 frs. to the sufferers of a flood at Toulouse.

Cremieux remained a Jew to his last hour; he combined in his heart those two loves which strengthen one another, viz., the love for Judaism and the love for his country; and there was nothing of the egotist in him; those two noble sentiments built upon the love for humanity dominated his great soul.

Nothing can better illustrate the title which the gratitude of Judaism has conferred than the resumé of his public functions and his political services.

Lawyer in 1817.—Cremieux, after having pleaded with great success in his native city, and the Revolution of 1830 having broken out, he came to establish himself in Paris, practicing law at the Court of Cassation, replacing Mr. Odilon Barrot,

whose office he had bought. The cases that came to the successor were just as numerous as those that had come to his predecessor. The newspapers that were sued came to claim his eloquence, in order to defend themselves against the repressive measures of the government against the press. His sympathies already belonged to the dynastic opposition; but what he defended above all was justice, and with that readiness of mind which the whirlwind of contradictory affairs was not able to make him lose; he wrote everywhere and upon everything. At one time there flowed from his pen a manifesto addressed to the Polish nation, when in vain it sought French intervention; at another, memorials for those politically condemned by the Restoration; and, again, one for the rehabilitation of Marshal Ney.

Deutz, a converted Jew, whose life had become blackened by some infamy, had dared to ask him to establish his justification. Cremieux sent him this answer:

"Sir: All relations must cease between you and me; I have listened to you for two hours, and that is enough. If you had been brought as a criminal before a court, and had called on me as a lawyer, I would not have refused to defend you. Every accused person has a right to call on me. But you are free, in the full brightness of the lucrative, triumphant object of your ambition; and I can do nothing for you. I could never succeed in justifying you in the eyes of the public. France is deaf to the justification of cowardice. When one has become a traitor, one must suffer the disgrace. Besides, I see nothing to excuse a crime which I detest and which

does not drag you before any other judge, save public opinion. If you have counted upon me as your co-religionist you have made a grave error. You belong now to no religion; you have abjured the faith of your fathers, and you are no more a Catholic. No religion wants you and you cannot invoke any; the laws of Moses punish with extermination he who commits a crime like yours, and Jesus Christ, who was given over — betrayed by one of his apostles — is a fact eloquent enough in the eyes of the Christian religion.

"Paris, November 24, 1832."

The town of Lunel, near Nimes, had a suit pending against their church. Cremieux took the case, gained the suit, gained it again in the Court of Appeals, and gave his fee toward buying a holy vase, which he forwarded to the worthy inhabitants of that county seat. Those good people were so moved with gratitude that they had his name engraved upon the vase; but wishing to still further perpetuate the souvenir of their benefactor, they bought his picture and placed it in their church between the image of Jesus Christ and that of St. Joseph. No Israelite has ever received such honor.

In 1842 he was elected as deputy by the district of Chinon, was re-elected in 1846 and remained always on the side of the promoters of union reform; and when the Revolution of 1848 upset royalty, he was a member of the provisional government and one of those who proclaimed the Republic. In the division of power he took the position of Minister of Justice, and it was he who together with Lamartine had the honor to reply to the numerous deputations that crowded at that time

the council chamber of the new government. Re-elected a deputy after the 10th of December, 1852; at the Coup d'Etat, he was arrested and sent to Mazas prison. Then he retired from politics and gave himself entirely over to the bar, where by his talent and dignity he gained general esteem.

When the war of 1870 broke out he was still a deputy, and on the 4th of September which proclaimed the downfall of the Emperor, in remembrance of the part he had taken in the second Republic, he was called among those that were charged to reorganize the government, and he again took the position of Minister of Justice and was chosen as a member of the national defense. Appointed again a senator he died in 1880 and the state claimed the right to mourn the death of one of her best citizens, and also to render him the supreme and last duties. Eugene de Mirecourt says: "Cremieux's speech was frank, his language scathing, his dialect abundant, animated and witty, his reply cheerful. His homeliness was nearly proverbial, but under a mask over which he was the first to laugh, one could always find the soul of a citizen and the master mind of an artist."

He once delivered a lecture at Bayonne in December, 1867, in the theater. A large crowd came to hear him and the audience was composed of the elite of the town irrespective of creed. They were all spell-bound by his words, and listened with growing interest to his eloquent discourse. He started out in his lecture with the blessing the Jews recite when they rejoice over something new. "Be praised, O, Lord, our God, King of the Universe, who hast preserved our lives to this

day, to reach this epoch.'" And after he had spoken for a long time, reaching the close of his speech, he took for the text of his peroration, the Lord's Prayer of the Christians, reciting it, explaining it, placing it in parallel lines with the Jewish prayers whence he said it had its origin. Never was there such a clear and interesting explanation given, and from every corner of the house there came thunders of applause.

This address had left such an impression upon all those present that new subscriptions were raised in favor of the Alliance Israelite Universelle, his pet institution ; for not alone the Jews but a great number of Christians subscribed large sums in behalf of this noble cause.

And, before leaving Bayonne, he was presented by his fervent admirers with an artistically finished solid silver waiter upon which was engraved, in raised letters, the places and dates of his glorious titles, as a token of their esteem and gratitude for all he had done towards raising the Banner of Judaism among all civilized nations.

# THE PATER NOSTER

## Lord's Prayer

ARRANGED APPROXIMATELY AFTER THE HEBREW

Our Father who  
art in Heaven,

אָבִינוּ מֶלֶכְנוּ שָׁבֵשְׁמִים

Hallowed be Thy  
name;

רָשַׁתְבָּח וַיְתַהֲרֵשׁ שְׁמֶךָ

Thy kingdom  
come,

תִּבְאֹא מֶלֶכְתְּךָ

Thy will be done

תִּעְשֶׂה רְצָוְךָ

on earth as it is  
done in heaven;

בְּשָׁמִים וּבְאָרֶץ

give us this day

תְּן לְבָנָנוּ יוֹם יְמִין

our daily bread,

לְחֵם לְפִי הַטָּהָר

and forgive us

וְמַחְוקֵק בְּרַחֲמֵיכָה

our trespasses

כָּל שִׁטְרֵיךְ חַזְבּוֹתְךָ

as we forgive  
those

שַׁבְאָמֵר שְׁמַוְעֵץ כָּל מְשִׁיחָה

who trespass  
against us

יְרוֹא נְשִׁיר רִישָׁה בְּרַעָהוּ

and lead us not  
into temptation,

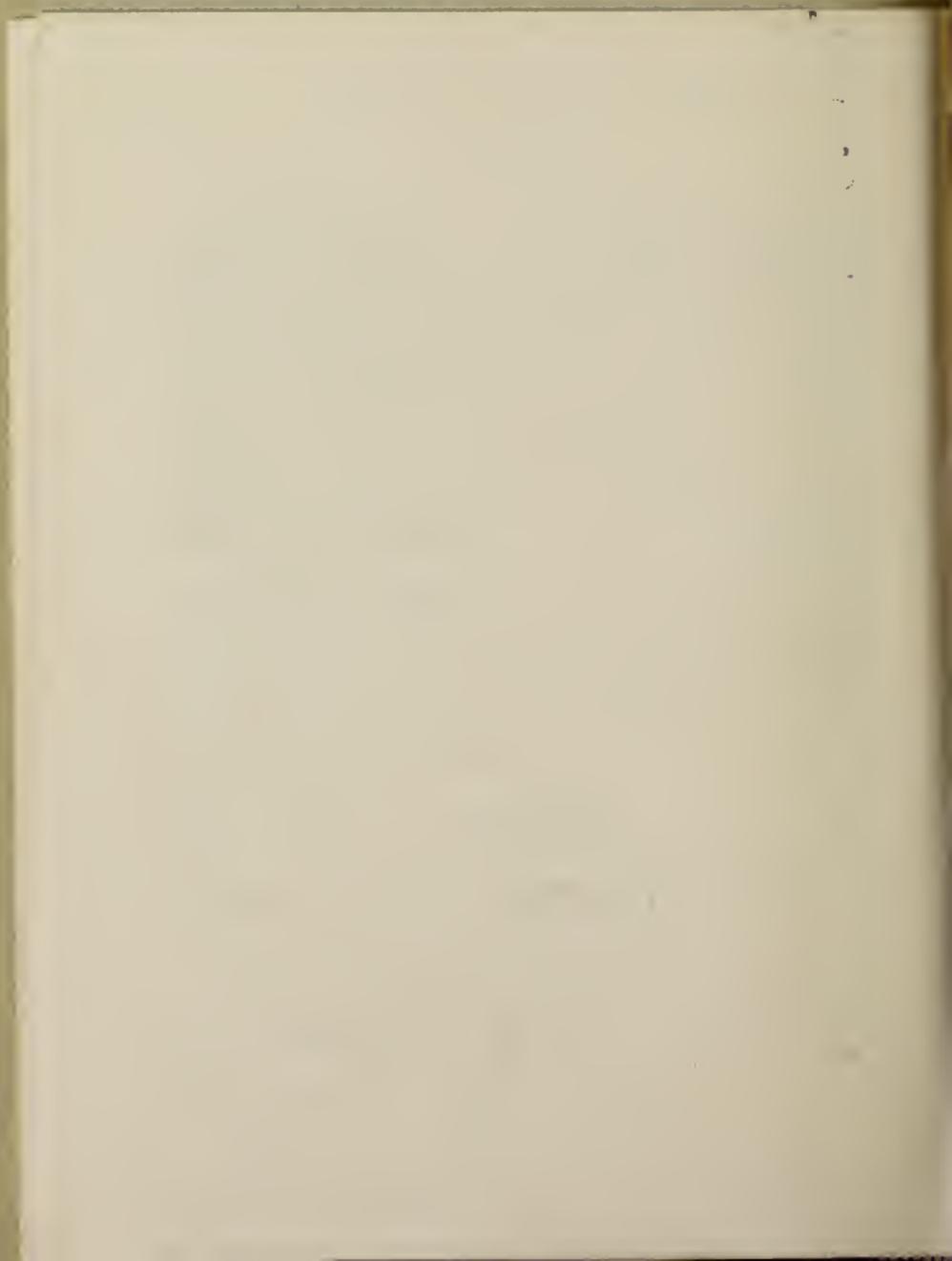
לَا כִּתְבִּיאָנוּ לִיְדֵי גַּסְיוֹר

for thine is the  
kingdom,

כִּי הַמֶּלֶכְתָּה שְׁלֵךְ הִיא

power and glory,  
forever—Amen

תְּמִלּוֹת בְּכִבּוֹר



# “AN OLD STRAW.”

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THE ADVENTURES

OF

## HON. BARCLAY HENLEY, M. C.

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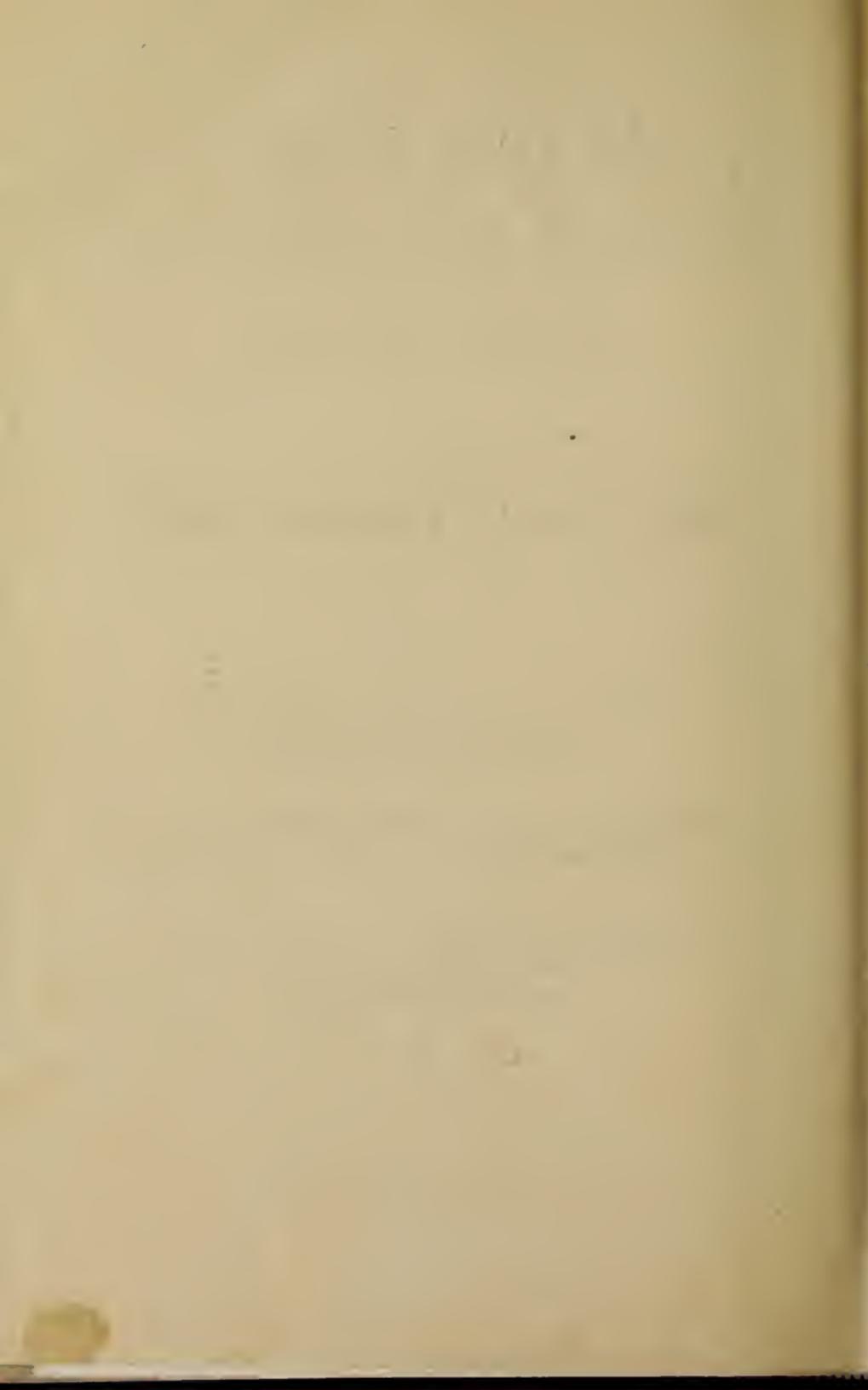
HOW HE LEFT HIS FAMILY IN CALIFORNIA AND  
EMIGRATED TO MEXICO IN 1864.

HIS FEAR TO RETURN AS AN AMERICAN CITIZEN—HOW HE  
EMPLOYED MAXIMILIAN TO MEXICANIZE HIM.

HOW THE EMPEROR LIBERATED HIM FROM THE GALLING  
YOKE OF AMERICAN CITIZENSHIP AND MADE  
HIM A MEXICAN SUBJECT.

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From the Mexican Archives.



## TO THE READER.

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Following is the story of a Congressman. It is reproduced from a Washington dispathet to a New York daily, dated April 30, 1885. It is neither rumor nor romanee. It is from the official reecords of Mexico. It contains the Congressman's own petition to be naturalized in Mexieo in 1864, and the proof that he obtained what he asked for. It appears from those reecords that Barclay Henley, who is the hero of the story, was born in Indiana, and beeame a resident of California; that, being a Northern man, he took the Southern side during the civil war; that, although a States-right Demoerat, he went against the State of his nativity and the State of his adoption, in order that he might go against the nation which both defended during that conflet; that he left his home and took up his abode, not at the South, but in Mexico, and that there he fawned abjeetly upon Maximilian I. (and last), and begged to be made a subjeet of his Empire. He presented a petition to that end, in whieh he says "he has beeome convineed that under the auspices of the *new* government Mexico is *the country of America* that offers the *greatest advantages and most guarantees* to an enterprising and hard-working colonist." That is to say, the Republie of Mexieo having been overthrown by a French invading army, and Maximilian having been proclaimed Emperor by the invader and a few subsidized Mexicans, this "hard-working colonist," Barclay Henley, feels that under "the

new government" Mexico will be a better country for him than the one which gave him birth. But he tells the Emperor that he wants to return to California, in order to bring his family and his goods, and "he fears, on account of his Southern opinions, that *as an American citizen* he will meet on the part of the authorities of California with more or less obstructions to his emigration, while his character *as a Mexican subject* will place him beyond their precautions." These are Mr. Henley's own words. If there is any "political malice" in their reproduction he furnishes the material for it. How his constituents will thrill with pride upon reading them! Think of a born American seeking the protection of Mexico against "the authorities of California!" Think of Barelay Henley pretending to Maximilian, in December, 1864, that he might not be able to get away from California again, if he should venture upon her soil as an American citizen, because Governor Low might tyrannically attempt to stop him! Read the words in which he craves the boon of exchanging his nationality. He says: "The undersigned, therefore, takes the liberty of very respectfully soliciting from your Imperial Majesty to grant him naturalization papers by virtue of the power vested in your majesty, and as you have *deigned* to do with other foreigners." And his High Mightiness, the Imperial Majesty imported from Austria, "*deigned*" to grant the prayer of this erring renegade American, and caused the naturalization papers to be issued and sent to him.

But when the Confederacy collapsed, Maximilian fell. Then those of his followers fled who could. Henley turned up in California—the State in which, but a little time before, he could only feel safe as a Mexican subject. He did not advertise in California his Mexican career. His petition to Maximilian, given in full below, was unknown there, as was the fact that it had been granted. He returned to dwell among the people he had disowned, and to seek political honors in a State which he had held

up to Maximilian as being so tyrannical, that he needed foreign aid to enable him to escape from it with his family and property in safety.

In the interview quoted below, Henley characterizes this true story of his apostacy to his country as an "old straw" which had been often "thrashed over" by political foes. In that same interview he boasts of the offices he has obtained from the people, and in studied and careful phrase says he never took an oath to Maximilian and never denationalized himself. He does not deny that he petitioned to Maximilian to be made a subject of Mexico, nor does he deny that the naturalization papers were issued and sent to him. He will not deny either of these recorded facts. His own petition and the letters of Mexican officials confront and silence him. He says he never took an oath. We are informed that none was required of him under the law, but, in lieu of it, a formal *Declaration* as to his allegiance was exacted, which, like the affirmation of a Quaker in court, had the force and effect of an oath. He was obliged to express a renunciation of allegiance and obedience to any other government or sovereign before naturalization papers could be issued to him. And that he complied with this requirement of the law is evident from the subsequent issue to him of those papers. He may claim, perhaps, that he could become a Mexican subject without losing the privileges of an American citizen, and that, being a subject of Mexico without ceasing to be an American citizen, he never denationalized himself.

Whether a man may have two countries at one time—thus practicing a sort of political bigamy—may as well be decided next winter by the United States House of Representatives, in Mr. Henley's case, as at any other time, by any other tribunal. The record shows that he asked to be denationalized, and that the boon was granted to him. The presumption is that he availed himself of the privilege he had sought. One cannot conceive of this distressed

refugé from the United States, clinging to the horns of the Mexican altar, and begging to be liberated from the yoke of American citizenship in order that, as a Mexican, he might return to California and rescue his family, without believing that when his naturalization papers reached him, he breathed a sigh of relief and exclaimed "Thank God, I am a Mexican." Let him explain to a committee of the next House of Representatives, when his right to a seat is disputed, as disputed it will be, what followed the issue and delivery to him by the Imperial Government of Mexico of the naturalization papers for which he had so absequiously applied. And when next he asks the people of Sonoma County, or of his Congressional District, for political honors, let the "old political straw" of his abasement in Mexico be "thrashed over" again, and *his own words to Maximilian* be held up to overwhelm him. Let them be branded upon his forehead to be seen of all his countrymen. Here they are:

"OWING TO STRONG ANIMOSITIES WHICH HAVE BEEN OCCASIONED BY THE CIVIL WAR BETWEEN THE PARTIZANS OF THE NORTH AND OF THE SOUTH, HE FEARS, ON ACCOUNT OF HIS SOUTHERN OPINIONS, THAT, AS AN AMERICAN CITIZEN, HE WILL MEET ON THE PART OF THE AUTHORITIES OF CALIFORNIA WITH MORE OR LESS OBSTACLES TO HIS EMIGRATION, WHILE HIS CHARACTER AS A MEXICAN SUBJECT WILL PLACE HIM BEYOND THEIR PRECAUTIONS. THE UNDERSIGNED, THEREFORE, TAKES THE LIBERTY OF VERY RESPECTFULLY SOLICITING FROM YOUR IMPERIAL MAJESTY TO GRANT HIM NATURALIZATION PAPERS BY VIRTUE OF THE POWER VESTED IN YOUR MAJESTY, AND AS YOU HAVE DESIGNED TO DO WITH OTHER FOREIGNERS."

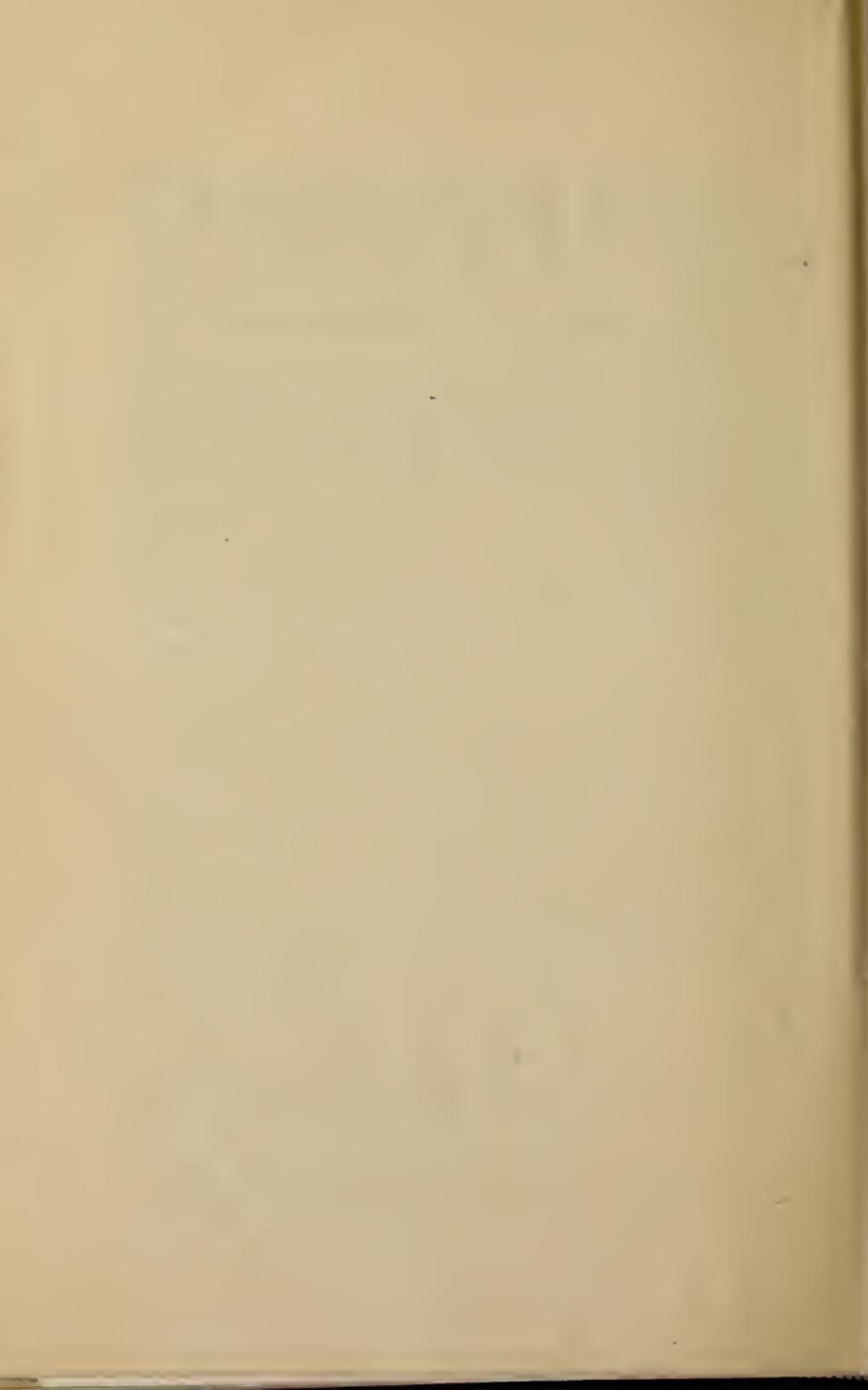
In the case of the Santissima Trinidad, decided in 1821, Chief Justice Marshall, speaking of one who insisted that he had expatriated himself, said as follows :

"The individual who divests himself of the obligations of a citizen, if this be within the power of an individual, loses the rights which are connected with those obliga-

tions. He becomes an alien. His lands, if he has any, are escheatable. He cannot recover these rights by residence, but must go through that process which the laws prescribe for the naturalization of an alien born." (1 Brockenbrough's Reports, p. 485.)

The Constitution of the United States declares in Article I, section 2, that—

"No person shall be a Representative who shall not have attained to the age of twenty-five years, and *been seven years a citizen of the United States*, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen."



## MR. HENLEY'S CITIZENSHIP.

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Shown to be a Naturalized Mexican.

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HIS APPLICATION TO THE EMPEROR MAXIMILIAN.

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### COPIES OF OFFICIAL DOCUMENTS

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WASHINGTON, April 30.—In *The Daily Examiner* of San Francisco, dated April 17, appeared a Washington dispatch as follows :

"In regard to the charge of having taken an oath to Maximilian's Government, Representative Henley said today: 'I was elected sixteen years ago to the Legislature of California, elected three times District-Attorney, elected twice Presidential Elector and twice to Congress, and each time my political foes have *thrashed over this old straw*, but the malice of politics has always stopped after election until now. . . . I have never taken any such oath and never denationalized myself. This I have averred over and over again. As to the Round Valley matters, they have been settled by the courts, and life is too short for endless explanations that have been repeated over and over again to thousands of people in print, on the stump and everywhere else.'"

By a somewhat remarkable coincidence, on the same day that the foregoing dispatch was put in type in San Fran-

cisco, a notary public in the City of Mexico affixed his signature and seal to the following certificate:

"Jose Villela, notary public, hereby certifies that the foregoing is a literal copy of the original document on file in the archives of the so-called Empire, which are deposited in the Department of Foreign Affairs, from which I took the said copy, through the fiat and with the consent of the Secretary of said Deparment and communicated by the chief clerk of the same. And at the request of the interested party, and that it may serve all legal purposes, I issue the present doeument in Mexieo on this the 16th day of April, 1885."

To the certificate of Senor Villela was appended the official certificate of the United States Consul-General in Mexico. The document thus officially authenticated was sent to Senator Miller, of California, and a correct copy of it was at the same time transmitted to another gentleman in California, from whom a *Tribune* correspondent has received it. It is a paper of extreme interest and importance, as its head lines show. They read as follows:

"Translation of the original naturalization papers of Barclay Henley as a subject of the Emperor Maximilian of M<sup>c</sup>xico, on file in the national archives in the City of Mexico."

Then follows this endorsement:

"12, 24, 64. December, 1864. Ministry of Foreign Affairs, Chancellor's Department. Barclay Henley, an American, applies for naturalization papers. They were given. Number of the papers, . . . ."

Cabinet of the Emperor. No. 2,337. Palace of Mexieo, December 24, 1864.

A doeument relating to the petition presented by the American subject, Barclay Henley, in which he asks to be naturalized a Mexican, transmited to his Excellency the Minister of Foreign Relations, that he may be pleased to resolve upon the matter as soon as possible.

The Counsellor of State in charge [ad int.] of the Cabinet.

F. Eloi, Cabinet of the Emperor, No. 2,337, 186."

Next comes the petition of Barclay Henley, which reads as follows:

“Sire: The undersigned, Barclay Henley, a native of Charleston, Indiana, United States of America, has the honor of very respectfully stating to your Imperial Majesty that, having come here with the idea of emigrating from his native country, and of bringing his family and his fortune, he has become convinced that, under the auspices of her new Government, Mexico is the country of America that offers the greatest advantages and most guarantees to an enterprising and hard-working colonist. But the undersigned, having all his property in California, is under the necessity of returning there in order to bring his family and to turn into cash his movable and immovable property; and there, owing to strong animosities which have been occasioned by the Civil War between the partisans of the North and of the South, he fears, on account of his Southern opinions, that as an American citizen he will meet, on the part of the authorities of California, with more or less obstacles to his emigration, while his character as a Mexican subject will place him beyond their precautions. The undersigned, therefore, takes the liberty of very respectfully soliciting from your Imperial Majesty to grant him naturalization papers by virtue of the power vested in your Majesty, and as you have deigned to do with other foreigners.

“Hoping that his petition will be favorably received, the undersigned has the honor, Sire, of remaining, with the most profound respect, your Imperial Majesty’s very humble and very obedient servant,

BARCLAY HENLEY,  
*Iturbide Hotel, Room No. 43.*

“To the Emperor.”

Attatched to the petition is a certificate signed by Mariano Degallado, W. Benfield and Franeiseo Mullins, which states that—

“We, the undersigned, are acquainted with Mr. Barclay Henley, an American citizen, and know that he conducts himself well and lives honestly, and for the uses which may be necessary we sign this paper in Mexieo on the 24th of December, 1864.”

Following are the words:

*“ December 24, 1864.—Let this be issued.”*

The Minister of Foreign Relations returned the petition to the Counsellor of State, with the following endorsement:

“ Mr. Barclay Henley, whose petition to H. M. Your Excellency is pleased to transmit to me, marked with the number 2,337, must present himself to this Ministry in order to fill the requisites of the law now in force relating to naturalization papers.”

That Mr. Henley promptly and fully complied with “the requisites of the law” is shown by the following:

*“ MEXICO, December 29, 1864.*

“ I herewith inclose to your Excellency the naturalization papers which H. M. the Emperor has been pleased to grant in favor of Mr. Barclay Henley, so that your Excellency may deliver them to said gentleman when he calls for them at your office. If the said party has already called and left his address, your Excellency will please forward to him the said document wherever he may be; but, if he has not given his address, you will then forward the same to the Political Prefect of San Blas, where the interested party is to go.”

Mr. Henley having left the City of Mexico before receiving his naturalization papers, they were forwarded in due course as directed, as will appear from an official letter to “The Superior Political Prefect” of the “Mexican Empire,” from the military commander at San Blas, dated January 18, 1865, which reads as follows:

“ With your Excellency’s official note of the 5th inst. I have received the naturalization papers which his Majesty the Emperor was pleased to issue in favor of Mr. Barclay Henley, who left for Mazatlan on the 9th inst., on board the English Steamer Zenith, and I shall forward said document by the mail steamer Almirante, which sails from this port on the 22d inst., to the Superior Prefect of said port, who will obtain the corresponding receipt to be transmitted to your Excellency in due time.”

The foregoing document is officially certified by Mariano Romero, "General Secretary of the Superior Political Prefecture" of the District of Guanajuato, of which San Blas formed a part.

When Mr. Henley presents himself to be sworn as a member of the House of Representatives of the XLIXth Congress, objection will be made to his admission, on the ground that he is not a citizen of the United States, and, therefore, is ineligible to a seat in Congress, and the record, of which the foregoing is a portion, will be offered in support of the objection.

Since the publication of the above record of the naturalization of Mr. Henley as a subject of Maximilian, we learn that he claims to have been restored to citizenship by force of the fourth article of the treaty between the United States and Mexico, concluded July 10, 1868. This claim sounds strangely coming from his lips, inasmuch as during the political contest of last year, when he ran for Congress, he denied publicly and repeatedly in the most positive and unqualified manner the charge that he had ever become a naturalized subject of Maximilian.

The fourth article of the treaty is as follows:

"If a citizen of the United States naturalized in Mexico renews his residence in the United States without the intent to return to Mexico, he shall be held to have renounced his naturalization in Mexico. Reciprocally, if a Mexican naturalized in the United States renews his residence in Mexico without the intent to return to the United States, he shall be held to have renounced his naturalization in the United States. The intent not to return may be held to exist when the person naturalized in the one country resides in the other more than two years, but this presumption may be rebutted by evidence to the contrary."

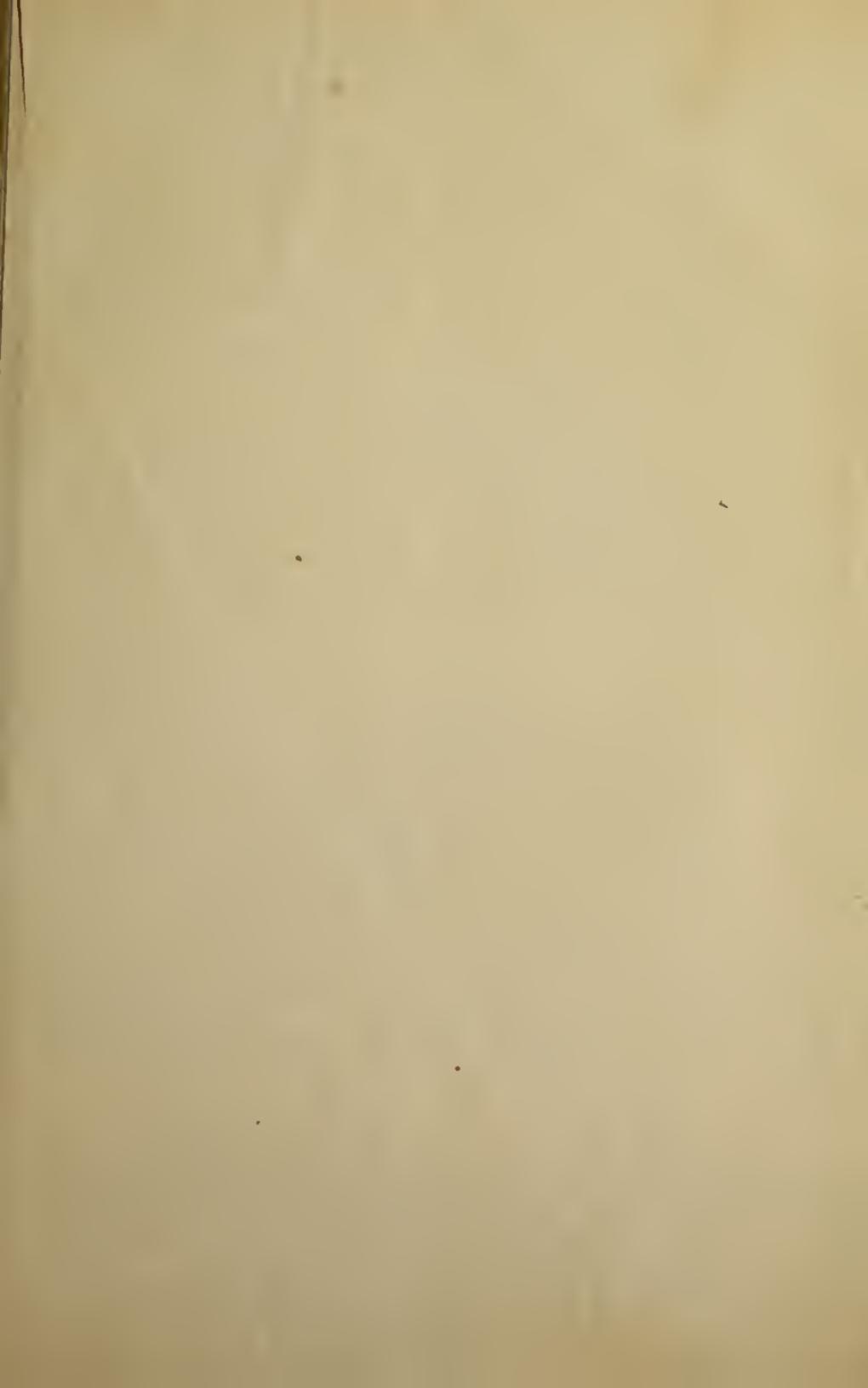
The plain object of the article was to prevent persons naturalized in one country from claiming the privileges

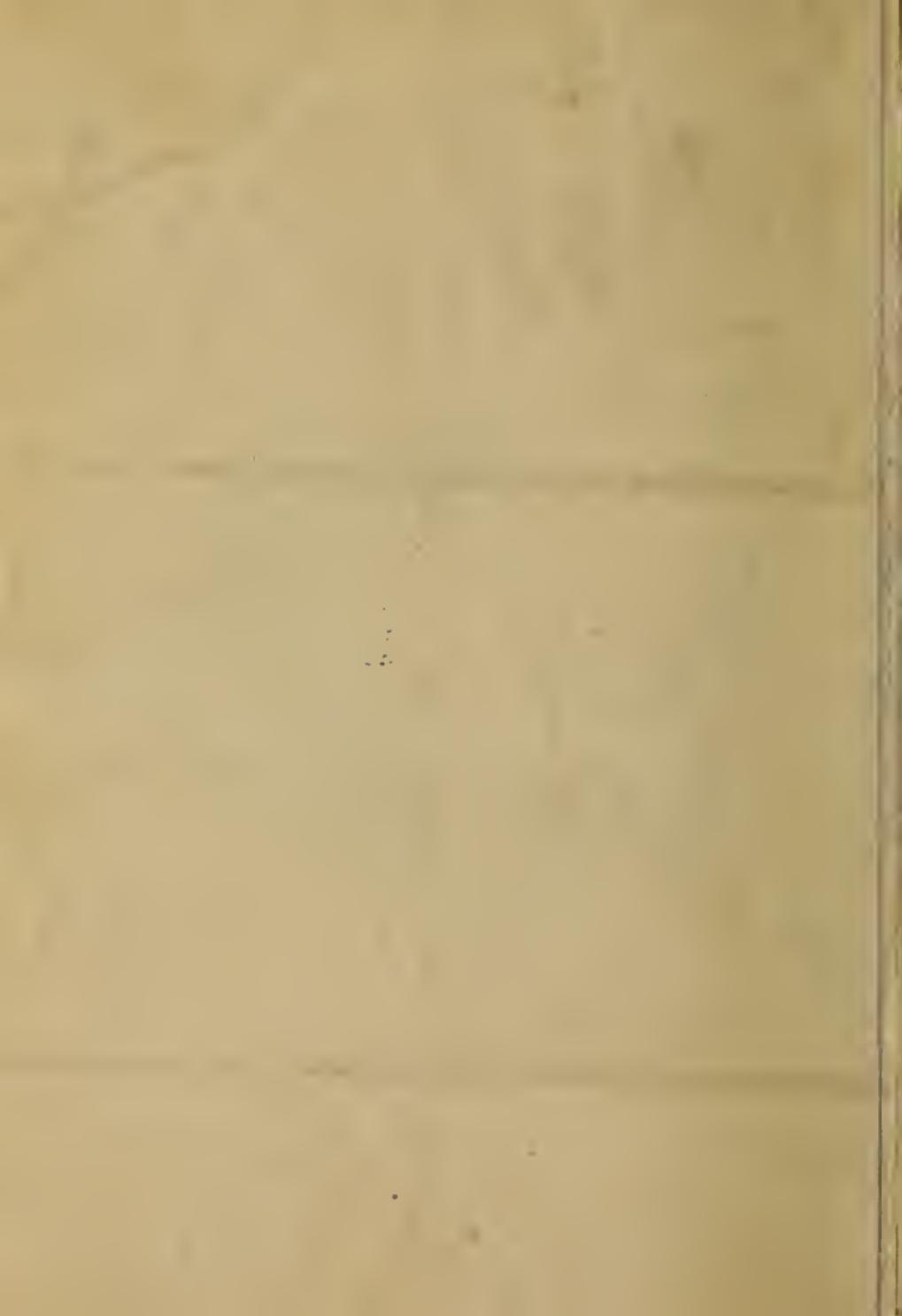
and exemptions of citizens or subjects of that country after abandoning their residence there and resuming their residence in their native country. It does not purport to restore the naturalized party to his original citizenship; it leaves that to be acquired in the same way that citizenship is acquired by an alien born.

A similar article four is found in the treaty between the United States and Bavaria, concluded May 26, 1868, near the time when the treaty with Mexico was concluded. And to the treaty a protocol is appended explanatory of its meaning, in which is the following clause:

"The article fourth shall have only this meaning: that the adopted country of an emigrant cannot prevent him from acquiring once more his former citizenship; but not that the State to which the emigrant originally belonged is bound to restore him at once to his original relation. On the contrary, the citizen naturalized abroad must first apply to be received back into his original country in the manner prescribed by its laws and regulations, and must acquire citizenship anew, exactly like any other alien."

This is in exact accord with the decision of Chief Justice Marshall in the case of *The Santissima Trinidad* in 1821, cited above.





# San Francisco Chronicle

SAN FRANCISCO, CAL., SATURDAY APRIL 24, 1880

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THE SAN FRANCISCO  
Weekly Chronicle.

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A MEMENTO

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*Charles de Young*  
FOUNDER OF THE  
**SAN FRANCISCO CHRONICLE**  
ASSASSINATED APRIL 23, 1880

ED. SCHLEGEL LITH. 81 & 87 JOHN ST. NEW YORK

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# MEMORIAL

OF THE LIFE AND SERVICES OF

# WASHINGTON BARTLETT

(LATE GOVERNOR OF CALIFORNIA)

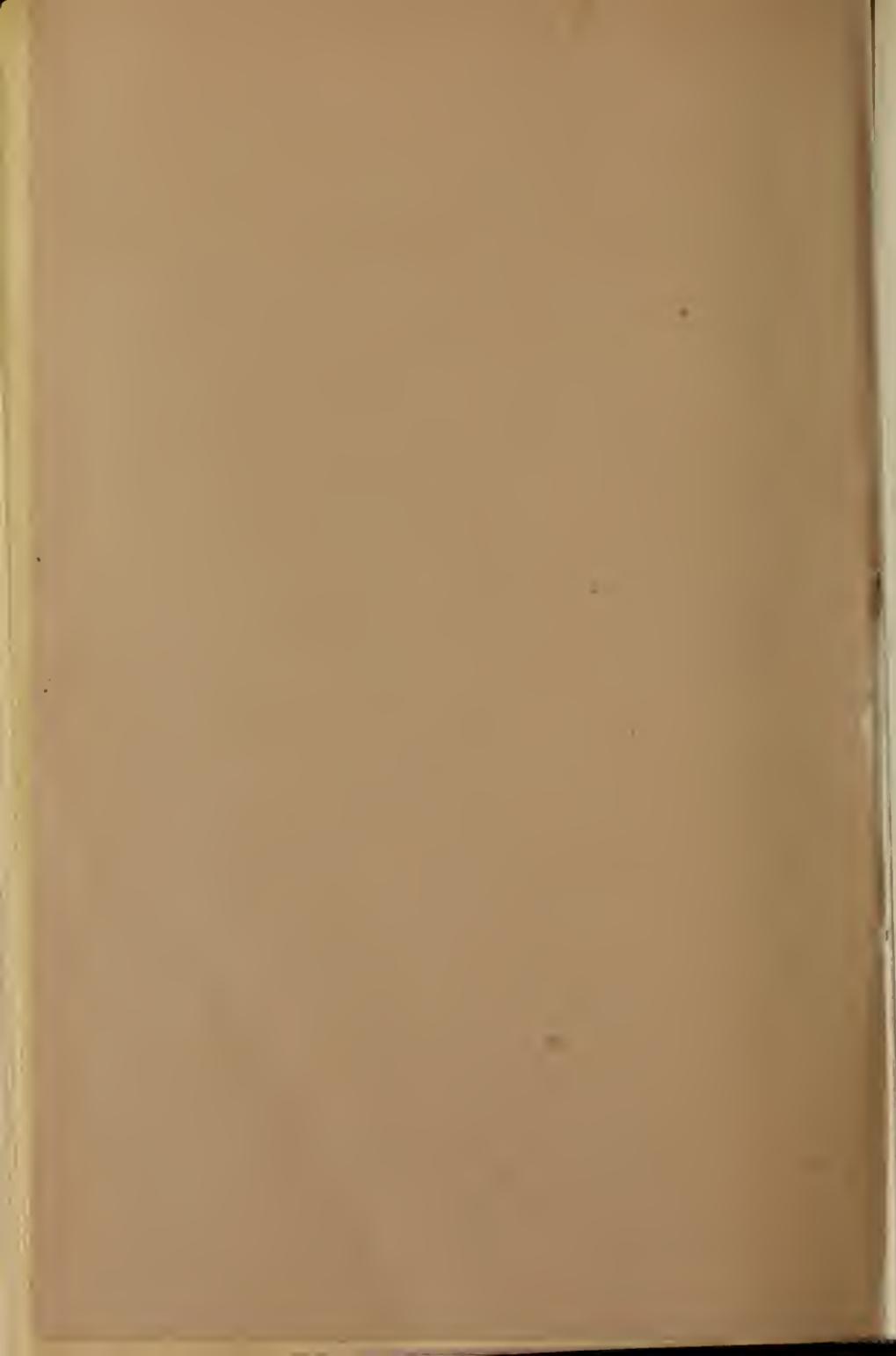
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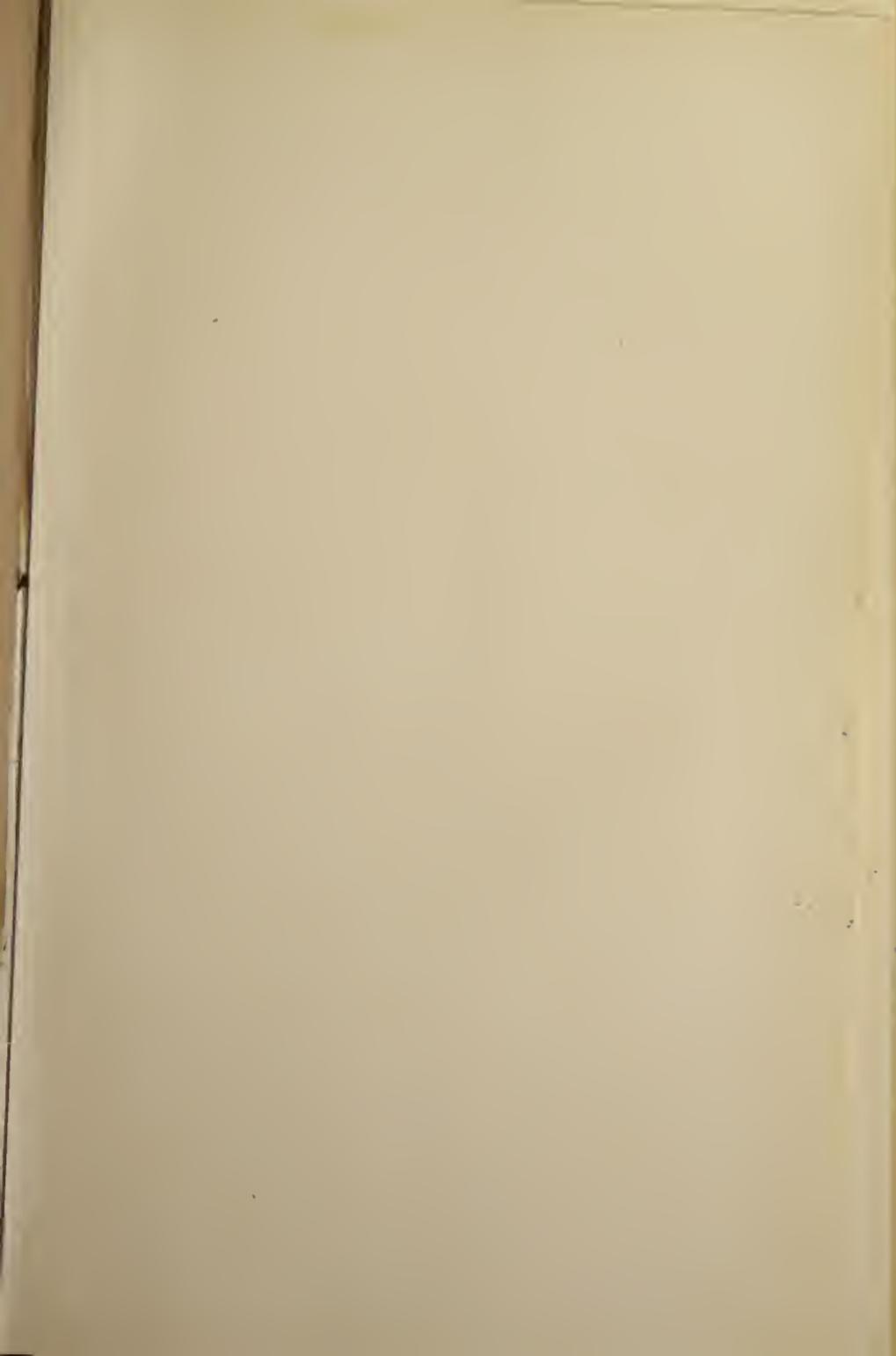
## SOCIETY OF CALIFORNIA PIONEERS

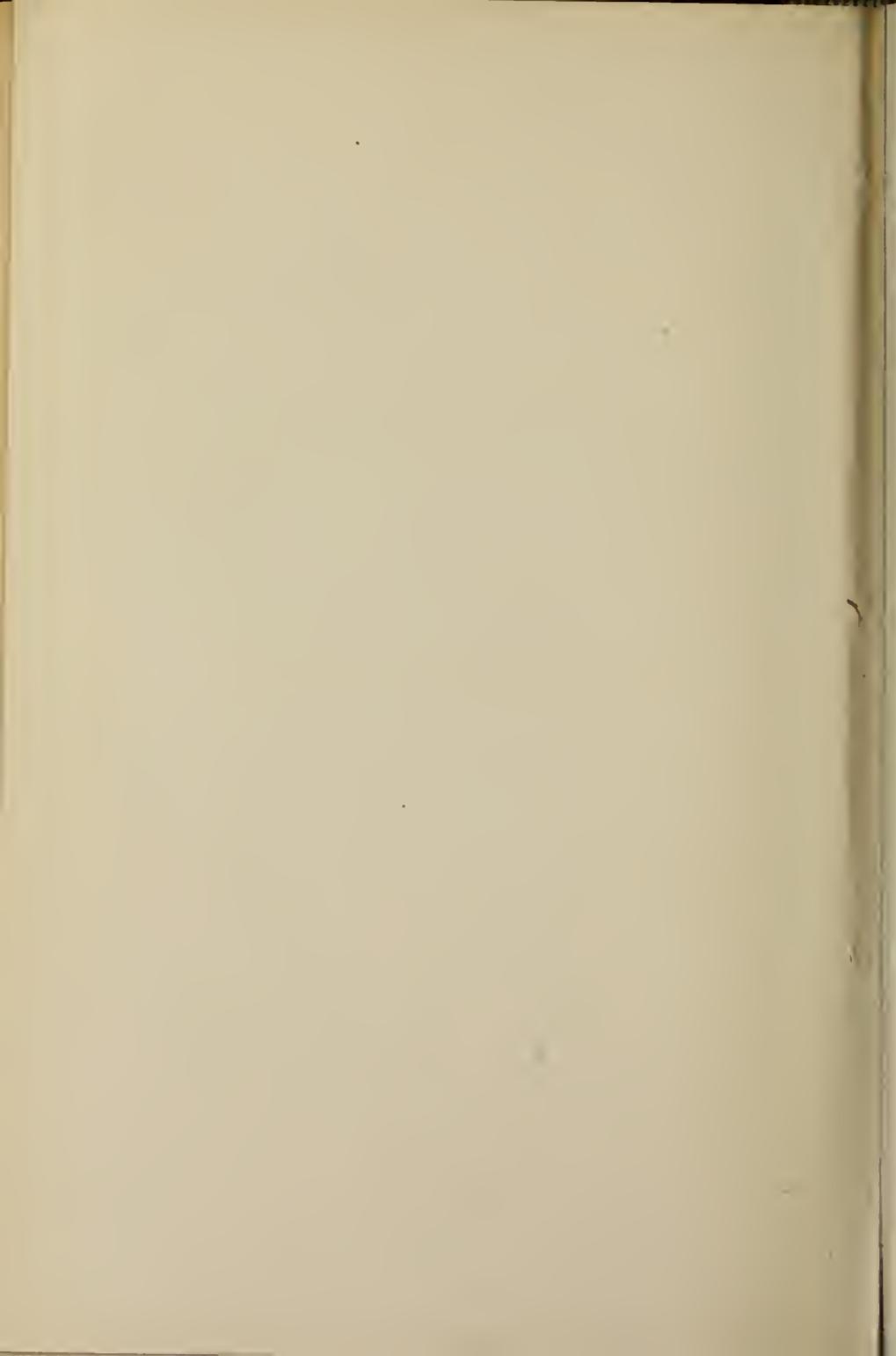
AT A REGULAR MEETING, HELD MONDAY, MAY 7

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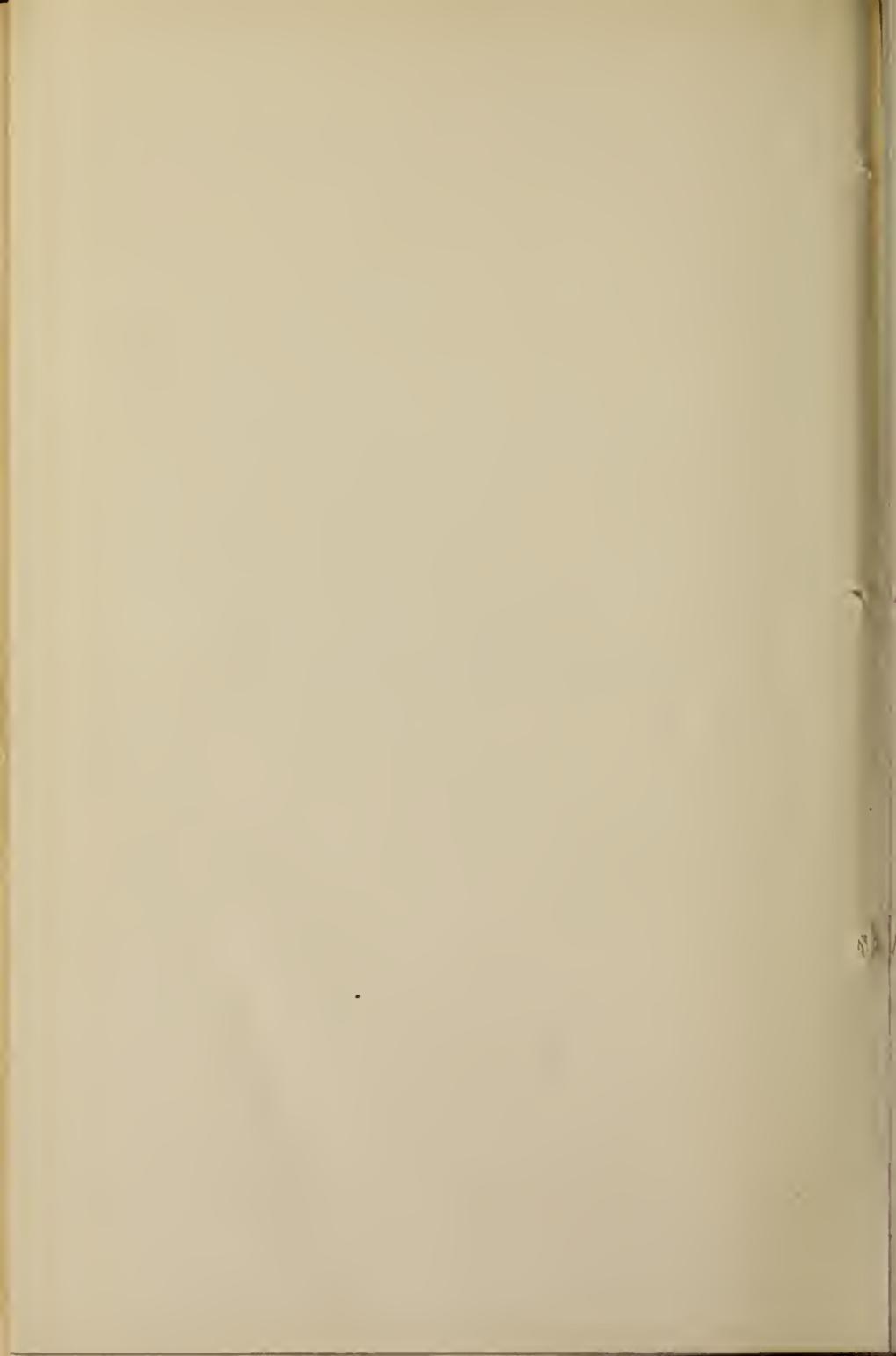
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WASHINGTON BARTLETT



M E M O R I A L  
OF THE LIFE AND SERVICES OF  
WASHINGTON BARTLETT,

Late Governor of the State of California.

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It is appropriate that the life and services of WASHINGTON BARTLETT should be suitably commemorated in the archives of the Pioneer Society, of which he became a life member July 22d, 1880, and of which he was a Director in 1873-4 and again in 1881-2, and President in 1882-3.

The mere facts of his career, to which of course it is proper in this memorial to refer, have been very extensively and very accurately published in the newspapers of the country. They are interesting and important in themselves. But, after all, there can be no full appreciation of the treasures he has left for his countrymen; no complete use of the example he has furnished for their imitation; no just tribute to his memory and to his achievements as they will pass into history, without wrenching from time and circumstance the secret and the inspiration of his great success and his extended usefulness.

The scenes that attended his prolonged sickness, his death, and his burial, were without precedent in this State, during any portion of the stirring events of nearly forty years. When Broderick died the hearts of the people were deeply moved, and found eloquent expression through the voice of Baker. When Starr King passed gently to his eternal rest, after committing himself to God, in the exquisite language of the

twenty third Psalm, our citizens in large masses gathered around his church and his tomb, to attest their sympathetic appreciation of his patriotism and of his unpretentious Christianity. When the wise and tender-hearted Lincoln, scarcely below Washington in his services to the nation and to humanity, was plunged into immortality by the hand of an assassin, at the very height of his fame, our streets resounded with the tread of pale and determined men, whose souls were touched by a grief which transcended the limits of section and of party. When Garfield, after lengthened suffering, heroically endnred, surrendered his breath to his Maker, and drew the North and the South indissolubly together, no State in the American Union, in proportion to its size and its development, surpassed California in the mixture of horror and affection which all American communities manifested. And when Grant, the successful General of the Civil War, after having expended his waning strength in one mighty effort to secone independence for his family, yielded up his spirit, in this broad and enlightened population there was no class that held back from tender and generous recognition of his unquestionable claim to the respect and to the gratitude of his countrymen.

But, when every allowance has been made for increase in numbers and in all the diversified forms of opulence, and when all these manifestations of feeling have been fully and entirely recalled, it must still be said that the love and appreciation which were shown for Washington Bartlett were locally unequaled. It is true he was the first Governor of the State who died in office, but that is insufficient to account for the demonstration that attended his illness and his obsequies. He had barely entered upon the duties of his position and wearily forced himself through the labor of one legislative session, before the shadow of

impending dissolution fell upon him, and in an official sense, he was practically withdrawn from the public view. From the early part of May until August 22d, 1887, at Sacramento, at the Highland Springs, in the mountains of Santa Cruz, and at Oakland, he was quietly and manfully battling against the insidious approaches of fatal disease. Then, in an instant, as it were, came the information that he was paralyzed, and for twenty-one days, his fellow-citizens throughout and beyond the State, demanded from his physicians and from the press daily, and frequently almost hourly, bulletins of his condition. There, in the modest residence of his cousin, Dr. Annette Buckel, he spent the weeks of his final struggle, immediately attended only by those who were closest to his heart and by those who aided him in interpreting the messages of the Almighty; inaccessible to most even of his oldest and truest friends; often suffering, occasionally unconscious, but usually in the full possession of his mental faculties; kind, placid, thoughtful for others, mindful of all his duties and obligations, official and private, and clinging to his religious faith as the mariner clings to the rope cast to him in the sea—while, far away from his privacy, and yet reaching to the very entrance to his chamber, over a million souls watched the ebb and flow of death within him, with alternating fears and hopes, and never relaxed their strained attention until the final announcement was made. This was a spontaneous and a disinterested tribute to the man. His active career was ended. He had no more rewards for his friends. He had no more offices to fill and no more favors to confer. He had no largess of wealth to be distributed when he died. He was personally known comparatively to few of the people, for he had never made himself conspicuous nor striven for social or political notoriety. And yet the flickerings of his

pulse reached the human hearts of his constituents from one end to the other of this great State.

And when, September 12th, 1887, late in the afternoon, he went to his final repose, oblivious of all that was passing in this tumultuous world, the news pierced the air in every direction, and instantly the bells tolled, the flags were at half-mast, the ordinary relaxations and gayeties of life were hushed or moderated, and it is not extravagant to say that men and women everywhere who had touched the life of the deceased at any point, even of its outer circle, melted into a sorrow which was as pure and unselfish as it was deep and pervading.

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For two days and on the morning of the third, the body of Washington Bartlett lay in state in the Hall of the Pioneers, and tens of thousands of both sexes, and even the little children who had heard their parents speak of him, gazed—most of them for the first, and all for the last time—upon his marble features, fixed in serenity and in manly beauty. Meanwhile partisan clamors were stilled, and all classes were blended into harmony. W. D. English, the Chairman of the Democratic State Central Committee, and A. P. Williams, Chairman of the Republican State Central Committee, aided by Arthur Rodgers, one of the Regents of the State University, and also one of his executors, and by William H. Jordan, Speaker of the Assembly, superintended the arrangements for the funeral ceremonies, which were perfected and carried out with rare ability and without the slightest friction. Early on the morning of September 16th, the streets fairly overflowed with people, decently clad, serious in their deportment and quiet in their movements, who illustrated all the best elements of our population. In the procession, it is believed that scarcely an organ-

ization or an interest in the State, public or private, was unrepresented. The scene in and about Trinity Church, where the deceased had been a member and a communicant, was beyond description, and baffled even the versatile and experienced reporters of the press. No such spontaneous popular gathering, no such collection of distinguished men in every branch of the Municipal, State and Federal service, and in the departments of trade, commerce, agriculture, art, science, philosophy and literature, had ever been seen in California. There, among the honorary pall-bearers, was Peter H. Burnett, our first Governor, afterwards one of the Justices of the Supreme Court, supported by four other ex-Governors, two of whom had served out terms, one as Senator and the other as Representative, in the Federal Congress—John G. Downey, F. F. Low, Newton Booth and George C. Perkins. There were other Senators and ex-Senators of the United States. There, at the head of the regular troops, was Major-General Howard, a war-scarred and a Christian hero. There, with the sailors and marines of the American Navy, was Commander Belknap, whose achievements are part of our national history. There was Niles Searls, the Chief Justice of the Supreme Court, by the appointment of Governor Bartlett, with the Associate Justices around him. There were the local Judiciary and the members of the Bar, embracing men whose names are known all over the Union. There were the Federal, State and Municipal officers, speaking by their presence for San Francisco, for the Commonwealth, and for the General Government. There were the Veterans of the Mexican War, the survivors of the gallant armies which gained for us the vast territories that made the United States an ocean-bound republic. There was a fragment of the Grand Army, bearing in their bodies the marks of that fraternal strife which ended in a perpetuated

Union. There were the Exempt Firemen, whose lives had been imperiled a hundred times amidst the glare of a burning city, and some of whom had doubtless exhibited their bravery and their discipline in defense of the property of the very man in whose honor they paraded. There were the Police, typifying the slow triumph of law and order over anarchy and violence. There were the Chamber of Commerce, the Board of Trade, the Produce Exchange, the Academy of Sciences, officers of the University and of the Common Schools, and a hundred other societies, attesting the intelligence, the energy, the industry, the sagacity, which had built up the city and the State to their existing proportions and, moreover, had consecrated knowledge as the heritage of American youth, even in the remotest parts of the United States. There were the Odd Fellows, bringing from lodge and encampment the fraternal assurance of their sense of bereavement in the loss of one of their oldest and most distinguished members.

No phase of discriminating mourning was absent. The chancel of the church was lined with flowers in every form that love and taste could employ. There was a Ship of State, wrought with consummate skill. There was a closed book, signifying the end of a career similar to that upon which the donor had just entered. There was a miniature State Capitol, with every detail elaborated from foundation to dome, with the columns festooned with typical flowers, and with the national flag at half-mast—thus expressing in mute loveliness the most salient points in the life of the dead Executive. His pew was empty and simply decorated with crape and a sheaf of wheat, suggesting at once the general loss and the particular gain which had resulted from his departure. The Episcopal Bishop of the Diocese, lofty in stature and in bearing, and yet bending under the weight of years and of labor, headed the clergy

who received the body with the inspiring sentence: "I am the Resurrection and the life, saith the Lord; he that believeth in me, though he were dead, yet shall he live; and whosoever liveth and believeth in me shall never die." The deep tones of the organ rolled under the vaulted roof, and sweet human voices translated into soothing music the harmonies and the halo that break the silence and dispel the darkness of the tomb. And when, after St. Paul's matchless demonstration of immortality had been read, and the living had been brought to the attitude and to the realities of prayer, the rector of the parish, the Rev. Dr. H. W. Beers, broke the rigidity of the Episcopal rule, as he was authorized to do in rare and exceetional cases, and, with quivering lips, and in a broken voice, uttered a few of those weighty sentences for which above most living men he is noted, and in which the whole lesson of a great life and of a great death was affectionately compressed, it seemed as if yearning tenderness over the dead had reaehed a climax which was the more impressive because it was natural and spontaneous. As the last word was spoken, there was a murmur of relief and oncee more the organ interpreted the hearts there melted into sympathy. Slowly and reverently the remains were earied, through streets lined with vast multitudes, who gradually dispersed, taking with them an ineffacable recollection of the majestic spectacle in whieh they had participated. Military honors appropriately closed, as they had aecompanied, the concentrated history of that eventful day. A parting salute was fired over the tomb, and then the bugler blew the final blast which faith and eternity alone can answer.

This last scene of all has been deliberately made the introductory part of this Memorial, in order that the true lesson and the true moral may be drawn from the outcome of the life of the illustrious Pioneer of whom your Committee are required to speak. Sneh

an exhibition as has been described must have had a cause and a meaning. The life that produced the demonstration must supply a lesson and a moral, the accurate comprehension of which is essential, not only to definite biography, but to the full realization of the benefits which such a life bestows upon mankind.

The matured judgment of the American people upon every question and upon every man is always both right and just. It has been said that "republics are ungrateful," but the American Republic, whatever temporary fluctuations there may be in popular sentiment, is never permanently ungrateful. It may temporarily overlook merit, or, under the influence of passion or prejudice, or through the perversions of demagogues, or in the absence of precise information, occasionally be guilty of an apparent or even real want of appreciation and approval, but, guided by citizens who are sovereign within themselves and subject only to the restrictions defined by a Higher Power than man, and who hold the ballot in their hands,—in the end its decisions are invariably accurate and sound. It chooses and develops its great men from every walk of life. It educates and raises them through successive promotions to its highest dignities. It watches over them with jealous sensitiveness and discrimination. It protects them in every vicissitude, and when they come to die it gives "their names to the sweet lyre," and

"the Historic Muse,  
Proud of the treasure, marches with it down  
To latest times."

Some men the American people never misconceive, and of these Washington Bartlett was one. What then was the secret of his uniform strength? what the force that carried his name and his record into the deep places in the popular heart, so that he came, simple and unobtrusive though he was, to be cherished and regretted for himself alone?

It is easy to tell what he was not, and by this process, it may be that we can most readily ascertain what he was. He was not eloquent in speech,—and yet orators bowed tearfully over his remains. He was not a soldier, who had earned distinction at the cannon's mouth,— and yet soldiers bent in humble friendship before his bier. He was not a sailor, who had carried his country's flag into unknown seas, or who had walked in blood upon the quarter-deck,—and yet sailors reverently followed his dead body until it returned to the earth from which it came. He was not a keen debater, who lanced his legislative opponents with a Damascus blade,—and yet keen debaters shrank from his rebuke, and united in acknowledging his supremacy over themselves. He was not a legislator of striking originality,— and yet legislators followed him in their votes. He was not a great judge nor a great lawyer, for he never aspired to judicial responsibility, and he left the arena of the law, because he disliked its excitements and its competitions,—and yet judges and lawyers were for once harmonious in his praise. He was not in appearance and manner possessed of unusual physical intrepidity,— and yet men of unexcelled bravery found themselves attracted to him by an invisible power. He was not a profound scholar nor a learned scientist,—and yet scholars and scientists did homage to his memory. He was not a social lion nor a gentleman of fashion,—and yet the leaders of society and of fashion trusted and supported him. He was not a seeker of notoriety, nor a bright or witty Bohemian,—and yet even demagogues and Bohemians respected him. He paid no special deference to the more conspicuous representatives of labor,—and yet they, and the masses who toiled, implicitly believed in him. He possessed no sparkling and rippling personal magnetism,—and yet, in an unusual degree, he drew to himself the sympathy of men. He had few intimates,—and yet his friends were

more numerous than his acquaintances. He was a bachelor, with no marked social inclinations,—and yet good women liked him. He was plain, simple, moderate, temperate, slow and careful, both in thought and in expression, apparently though not actually hesitating in the formation of his opinions, but firm as a rock when he once arrived at a conclusion, and free from every art and device which the mere politician employs to win influence and votes,—and yet Machiavelli was not more predominant in Florenee than he became in the city and in the State of his adoption.

What, then, were his secrets? In one sense he had none, for, to use the words of Goethe, his life was "an open secret." Still every man who reads circumstances as they are, and who is above the petty flattery by which prominence is too frequently submerged, will admit that in almost every department of mere intellectual achievement, there were men in our own midst who surpassed him, and that, on the surface of his career, there is a mystery which it requires close observation and earnest reflection to solve.

What was this mystery? It was something difficult intelligibly to explain. The truth is that, taken as a whole, the man was greater than he appeared. His real position in the world was never realized either by himself or by his most intimate friends, but it was comprehended by the people, through that infallible intuition which assures the permanence of our political system.

In the first place, in heart, in mind, in education and in training, he was distinctively and thoroughly an American. It is claimed that, from the photographs of a large number of men engaged in any branch of art, science or industry, a typical picture of ideal perfection in that special direction can be constructed. Thus, it is said, that from all the leading Professors of Natural History in Europe and America a pattern was

manufactured which was the image of Agassiz. If this process were applied to leading men from every part of the United States, it would bring out a face strongly resembling that of Washington Bartlett.

But it was not merely his broad and deep Americanism that attracted the multitudes. His flawless record presented two other points, which will be recognized as soon as stated: *First*, distinct and perfect character, of which reputation is at once the efflorescence and the fruitage; and, *Second*, that soundness of judgment which is the highest manifestation of intellect.

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Much of what he was he undoubtedly owed to his ancestry. He came of good stock on both sides, and the man himself, and the tender devotion which he and his brothers always rendered to their mother, constitute a sufficient eulogy upon her. On his father's side, however, we are carried back to ante-revolutionary times. Early in the seventeenth century his family were settled in Massachusetts. Towards the middle of the last century his great grandfather, Stephen Bartlett, the elder brother of Josiah Bartlett, one of the signers of the Declaration of Independence, settled upon a large grant of land in what is now Grafton County, New Hampshire. Here he was located during the most eventful periods of American history. When the raids of the Abenakis and the Acadians filled the sturdy Puritans of New England with terror for their wives and their little ones; when the torch and the scalping knife were expected visitors in the long winter nights; when the British Crown and the Colonies united to break down the new France that was rapidly grasping the continent; when Louisbourg fell and the power of France was broken in the extreme East; when, at Fort Duquesne, the defeat of Braddock was avenged, and French influence was extirpated on the

Ohio, the Missouri and the Mississippi; when Fort Frontenac was captured and Fort Niagara evacuated, and French ascendancy on the great Lakes ceased, and the way to Montreal and to Quebec was opened; when, on the heights of Abraham, Montcalm lay dying and Wolfe was dead, after having fought one of the decisive battles of the world, which gave Canada to the English and prepared the way for our own National Independence;—during all the stirring incidents of the Seven Years' War, the most enduring effects of which have been felt in America; during our Revolutionary struggle, and during the years of organization which succeeded that struggle, Stephen Bartlett, in the extreme East, was engaged in the same kind of arduous labor in which, within our own epoch, Washington Bartlett and his fellow Pioneers were engaged in the extreme West, and we can thus trace the current of his Americanism steadily down through at least four generations.

His father, Cosam Emir Bartlett, was born in New Hampshire, studied at Dartmouth College, and became a licensed attorney, but like his son Washington he had no taste, possibly but little aptitude, for the profession. He was filled with that spirit of restlessness and enterprise that made New England a hive for thrifty and daring colonists, and in 1816 he migrated to Charleston, South Carolina, where he formed an editorial connection with the press and married the lady, with whom he lived happily for about thirty-one years. In 1818 he removed to Savannah, Georgia, and, until 1837, remained there and in other parts of Georgia, engaged in the same pursuits,. February, 29, 1824, Washington was born. During the thirteen years that he passed in Georgia he received the inestimable advantage of a common school education, and his natural taste for learning was quickened and strengthened through the opportunities derived from

his father's business and associations. He was not rapid, but he was patient and thorough in the acquisition of knowledge, and aided by a retentive memory his mind, originally strong, underwent a constant process of development and expansion. He not only accumulated information, which to the end of his days he never lost and constantly augmented, but more important than this, he early acquired the faculty of close reasoning and of reserving his decisions until his reason was convinced. From his boyish years he showed and retained the power of controlling his passions and of escaping from prejudices, so that in whatever society he happened to be thrown his opinions carried with them weight and dignity. The writer of this Memorial well remembers that thirty years ago or thereabouts, when for nearly three years he lived in the same house with Washington Bartlett, that gentleman always acted as moderator among a crowd of well-educated, bright and disputatious young men who were in the daily habit of discussing among themselves important and interesting questions, which often took a very wide range, and that, when their views diverged to an extent which threatened to create permanent discord, his judicial qualities would be exerted, until through concessions and qualifications, they were gradually brought together and his conclusions generally accepted as final.

But our theme would be imperfectly treated, and our interpretation of Washington Bartlett's success would be inadequate, if the incidents of his history were not in some degree followed. He learned the printer's trade in his father's office, and, in 1837, the family removed to Tallahassee in Florida, where the elder Bartlett published a newspaper. Before his death, in 1850, he also held various public offices in the municipality and in the State, and was widely known and respected. He was a man of intelligence and of varied informa-

tion, and, while his New England ideas had been considerably modified by residence in the south, upon the issues which agitated the two sections he occupied that middle position which may be justly termed conservative. Firmness and resolution were leading traits in his character, and it is related of him that, on one occasion in Georgia, he dispersed a number of men who were proposing to destroy his printing office by deliberately preparing to set fire to a keg of gunpowder.

It would be interesting to trace the history of young Washington from 1837 to 1849, both externally and internally, but it is impossible to overload this memorial with all the details of a biography. His advancement in the elements which made up his character was constant. He never went back—however slow, his march was ever onwards and upwards. He read extensively but thought more. He worked at his trade, but his bent was towards journalism and, about 1845, when he was twenty-one years of age, and his father was failing in health, he began the publication of a newspaper on his own account. Towards the close of 1848, when the discovery of gold near Coloma had become known all over the country, his attention was attracted to the Pacific Coast, and he resolved to settle in San Francisco, where he was convinced there would be room for a daily newspaper.

He dispatched his printing materials in advance of his own departure, and, January 31st, 1849, sailed from Charleston, on the ship Othello, of which Joseph Galloway was the master, and reached San Francisco on November 19th of the same year. The main interest the voyage has, after the lapse of more than thirty-nine years, lies in a diary, which he kept, and which is before your Committee. The handwriting is clear and distinct, every letter well-formed, every capital in its place, and every mark of punctuation correct.

These evidences of care and deliberation could be seen in all his correspondence and drafts down to the close of his life. But the diary is also a revelation of character and of intelligence, with passages that would scarcely have been expected from him in later days, when the sentiment and the enthusiasm which formed positive elements in his character were habitually repressed. On February 22d, 1849, the birthday of the Father of his Country—after whom he was named, and whom, in some respects, he closely resembled—he “commenced the study of astronomy.” This was not the freak of a young man, “everything by turns and nothing long,” but the result of a purpose, faithfully pursued, and which produced definite results. Two days later he was taking observations of the constellation Argo, and by March 16th, when for the first time he saw the Southern Cross, it is astonishing to observe the advancement he had made, and this advancement continued as the old ship reeled on towards its destination. He kept a log of the courses, the winds, the weather, the latitude and the longitude, and the principal incidents of each day, and his terseness, his precision, his rejection of immaterial matters, and his quick comprehension of nautical terms, are genuinely attractive. He who takes up the narrative will not readily lay it down without a careful reading. When a vessel was sighted on February 25th, his first thought was to prepare a letter to his father, which, unfortunately, he was unable to send until March 22d, when “*La Jeune Aurelie*” was spoken. He seemed to observe and to record everything of moment, even to the hymns sung on a Sunday night, which took him back in memory to his mother’s knee. His appreciation of the beautiful and the grand, and his capacity for description, are among the unexpected things we find. In one place he compares the flying fish to newly fledged birds, trying their wings from tree to

tree. In another he says that, "like Noah of old," he put forth his hand and caught a delicate land-bird that had become exhausted because it could find no rest for the sole of its foot. He felt pleased that it had placed itself under his protection, and cherished it until it died. There are many such passages which could be extracted or epitomized. He notices and portrays the clouds, the sky, the water, an eclipse of the moon, a rainbow, and draws on the soft melody of Montgomery and on the graphic strength of Sir Walter Scott. His account of a storm off Cape Possession, in which the crazy vessel was almost lost, is vivid and powerful. She was riding at anchor, when one of the cables parted and the remaining anchor slowly dragged her towards the rocky shore. The passengers were hastily called together by the captain to determine whether they would risk foundering on the land or cut the cable and put to sea. All was confusion and turmoil. Counsels were divided and personal altercations almost matched the fury of the gale. Bartlett then, as when thirty-eight years later he was facing the dark angel in his bed, preserved his self-control, and, by his advice, the decision was left to the most competent authority—the master himself. With great difficulty the massive iron was separated, and then, to quote the language of the diary, "the hand of Providence directed their course." The staggering vessel barely cleared the breakers at Point Dungeness, and then she "scudded before the wind into impenetrable darkness."

Here are some indications of that power which ultimately ripened into fame. When the young man reached San Francisco, he found his printing materials here, and, by dividing them, he was enabled to secure a share in the public printing. In January, 1850, in partnership with John S. Robb, he started the *Daily Journal of Commerce*, which appeared simul-

taneously with the *Daily Alta California*, a newspaper which had been previously published semi-weekly, and yet survives, in respectability and prosperity. The enterprise was successful, but was seriously crippled by the fire of June, 1850, which destroyed the establishment. After that time it was continued until the conflagration of 1851, which ended its existence. Then the resolute young Pioneer went back to his trade, until the fall of 1852, when Columbus Bartlett, one of his brothers, arrived here, and in conjunction, they opened a job printing office at the southwest corner of Front and Sacramento streets, under the name of C. Bartlett & Co. In 1853, they began the publication of the *Daily Evening News*; and in February, 1854, they were joined by their brother, Cosam Julian Bartlett, who was an editorial writer upon the *Bulletin*, when he died at San Bernardino, November 21st, 1861, and whose bright mind and sweet nature insured the preservation of his memory in many affectionate hearts. The three brothers thus became associated, and Washington had the editorial management, while Julian was the chief writer, and Columbus attended to the business affairs of the new journal, which rapidly gained popularity and advertising patronage, as well as subscribers. In 1856, the Vigilance Committee was formed, and, for a number of months, practically held possession of San Francisco. This is not the time nor the place to discuss the merits or the demerits of that organization, which, whether justified or unjustified by the events that preceded or the history that attended and followed its existence, certainly embraced the bulk of our best citizens, achieved great power and reputation, and exemplified the capacity of the American people for self-government. The *Evening News* favored the Committee, of which Washington became a prominent member, while Julian and Columbus refrained from active participation in the movement. Wash-

ton was appointed captain of a military company, and was present when the county jail was taken, and when Cora and Casey were wrested from the custody of the Sheriff, David Scannell,—now the Chief of the San Francisco Fire Department. Washington Bartlett, although firm in his conviction that extra judicial force was essential to reform in the administration of our local affairs, was nevertheless moderate and conservative in his views of the measures which the exigency demanded, and it is believed that his influence largely contributed to the release of Judge David S. Terry. This, for a time, rendered him unpopular with the rank and file of the Committee, but they speedily saw the wisdom of his action, and his unpopularity was short-lived. In the latter part of 1856, he purchased the interests of his brothers, Julian and Columbus, in the *Evening News*, and in connection with Edward Connor, afterwards Consul at Mazatlan, and with William H. Rhodes, who took his place in literature under the name of "Caxton," converted that journal into a morning paper, called the *True Californian*. This newspaper was brilliantly edited and extravagantly managed, and, in 1857, its publication was suspended, leaving an indebtedness of from twelve to fifteen thousand dollars upon the shoulders of Washington Bartlett, all of which, by the exercise of economy and self-denial, he succeeded in paying within about ten years.

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We have now reached the end of Washington Bartlett's relations to journalism, and of what may be termed the second epoch in his life. During all the years after he left Tallahassee, he had been undergoing an uninterrupted process of development. He had lived in the midst of a population which, in intelligence and in enterprise, surpassed the general average of

mankind. Modest and unassuming though he was, he had been thrown into contact with a host of brilliant men, from every part of the Union and, indeed, from every kingdom and empire in Europe, and, whatever they could give, he had absorbed and assimilated, while the rectitude and purity of his habits preserved him from all possible contamination. He had inflexibly followed those studies which made him familiar with history, with the principles of sound jurisprudence, with the fundamental truths that underlie our political institutions, and with the principal questions that were absorbing the attention of great statesmen and diplomatists at a most active and interesting period in the rise of nations. He had witnessed or been within the range of every phase of the evolution of a community, destined to occupy a most responsible post in civilization, and in which American ideas, in all their breadth and depth, were predominant. He had used his own pen upon a diversity of topics, and had improved his natural talent for composition by laborious practice. In short, he was now admirably equipped for public life, and, until the date of his death, he occupied a variety of positions, suitable to his capacity and experience, although not invariably congenial to his taste, until, gradually, without forcing, and with no artificial aids, but through the growth of faith and confidence in the hearts and in the minds of the people, he was raised to the highest place in the commonwealth.

It must be observed that after the death of his father in 1850 the burthen of supporting his mother principally devolved upon him, and that in addition to this sacred duty, which he strictly performed, he was weighted by an indebtedness, not of his own creation, which it cost him much effort and endurance to liquidate. His tendencies were not speculative, and every dollar he ever had was earned by his own labor or by ju-

dicious investments in real estate. To dismiss this branch of the subject, he freed himself from all obligations and accumulated a small fortune, never exceeding a hundred thousand dollars, the income of which, after deducting two hundred dollars per month for his own immediate purposes, he devoted to deeds of charity and of kindness, of which the world never heard. To illustrate his fidelity to his mother it may be proper to relate an incident which deserves notice. When the Civil War broke out in 1861 she was residing at New Orleans with her son Frank A. Bartlett, who, unlike his brothers, espoused the cause of secession and entered the Confederate service. October 11, 1861, Washington wrote her a letter which your Committee have had an opportunity to examine, and which may be not inaptly described as a stream of common sense flowing through the channel of affection. At that time New Orleans was blockaded and all communication with the North cut off, and he was apprehensive that, under those conditions, his mother might be short of means. On the previous August 22d, he had sent her a draft for three hundred dollars, to which he alludes, and he adds: "As you may easily imagine, we are all extremely anxious to hear from you, and feel the deprivation sorely; yet comfort ourselves by trusting in that Providence in whose keeping we all are." His solicitude in this instance was not rewarded, for, as we learn, by a letter from Jesse Seligman of December 21, 1861, the draft was returned, because there was no opportunity to pass it through the lines. The failure of the remittance, however, was immaterial, for three weeks before Mr. Seligman's letter was written, his good mother had gone to that "undiscovered country from whose bourne no traveler returns."

The path is now clear to that portion of Washington Bartlett's career which, although it embraced some private business, may nevertheless be treated as public and official. In 1857, William Duer, who had been a noted lawyer in New York, was elected County Clerk of San Francisco by the People's Party, which undertook to crystallize the work of the Vigilance Committee of 1856. He immediately appointed Washington one of his deputies, and he was assigned to duty in the courtroom of Edward Norton, Judge of the Twelfth District Court, and subsequently one of the Justices of the Supreme Court,—a man who, in his judicial character, was readily acknowledged as *facile princeps* during his term of service at *nisi prius*. In 1859 he succeeded Mr. Duer as County Clerk, and was re-elected in 1861. He was again chosen for the same office in 1867. Intermediately, having been duly licensed by the Supreme Court, he practiced law with his brother, Columbus, but he cared nothing for trials and had but little interest in professional life, although his knowledge was extensive and his advice careful and accurate. In 1870, by the appointment of H. H. Haight, who then filled the office of Governor, and whose reputation needs no brush, he filled a vacancy as State Harbor Commissioner, caused by the death of J. H. Cutter. His service in this place lasted about a year and a half, and proved of great benefit to the State. In fact, it will not be denied that he met the demands of every office he held so fully and so satisfactorily that he was treated, even by rabid partisans, as beyond criticism. George Washington, as a surveyor or in military service on the frontier, was no more perfect in his fulfillment of duty than was his namesake as deputy clerk, as County Clerk,—in each station, little or great, to which he was called. He mastered the details of every department of the government with which he was associated, and yet never

for a moment lost sight of the broad principles by which the details were to be regulated, and thus he grew into a fullness and a ripeness which made failure impossible.

After the expiration of his term as State Harbor Commissioner, for about two years, he was the Secretary of the San Francisco Chamber of Commerce, of which, almost from its formation, he had been an influential member. In 1873, the controversy with reference to the attempted acquisition of Goat Island by the railroad corporations was in full vigor, and so intense was the excitement that it resulted in an independent political movement for the election of representatives to the Assembly and to the Senate, who were to vote for a Senator of the United States. Mr. Bartlett was elected to the State Senate on the independent ticket, and his associate, elected by the Democrats, was Philip A. Roach, of this Committee. He served for four years, and, while he made but few speeches, he took an active part in plans of legislative improvement, while he was always to be relied upon in opposition to measures that were corrupt, doubtful, or unnecessary. At the beginning of his term, in conformity with his pledge, he voted for Newton Booth for the United States Senate; and he also contributed to the election of John S. Hager, to fill the vacancy caused by the resignation of Eugene Casserly, between whom and himself, as far back as 1851, there had been acute journalistic competition. He had been fundamentally a Democrat from his early manhood, and, in the main, had acted with the Democratic party; but, on two or three occasions, like that referred to in 1873, he united with his political opponents when he conceived such joint efforts to be necessary for the public safety. When the second half of his senatorial term began, the People's Union, which had chosen him as an independent candidate, had ceased to exist,

and thereafter, on all party issues, he acted with the Democrats.

His career as Senator closed in 1877, and the next year he seized the opportunity, which he had coveted for many years, to reap the benefits of foreign travel. He went to Europe and visited London, Paris, Rome, Naples, Pompeii, and other places famous in ancient and in modern history. He traveled extensively through the mountains of Switzerland and the lake regions of England and Scotland, and he also spent a considerable time in the larger towns and cities of Ireland. His observation was close and penetrating, and, through his entire previous education and experience, he was protected against the danger of being misled in his estimates of communities and institutions by the superficial courtesies and blandishments of aristocratic society. He returned even a better American than when he left, but with an appetite whetted for further and deeper exploration into those saturated masses of feudalism from which much of our population and many of our practices have been derived. He was once strongly inclined to resign the office of Mayor of San Francisco in order to continue his study of society and of politics abroad, and if he had not been nominated for Governor he would undoubtedly have repeated his European tour.

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Although this is designed, for the benefit of the California Pioneers, to be a permanent record of the life of Washington Bartlett, it is virtually impracticable, within ordinary limits, to mention even a large fraction of the facts which were crowded into the sixty-three years between his cradle and his grave. Within that part of his public history to which reference is now being made, many interesting though comparatively unimportant events transpired which ought not to be entirely ignored. Of these only a few can be men-

tioned. It has already been stated that he was long a member of the local Chamber of Commerce, which has exerted a commanding, although diminishing, influence upon the Pacific Coast. He also joined the Mercantile Library Association shortly after it was established. He drew the statute under which the first homestead incorporations were formed, and was the President of the San Francisco Homestead Union, which was the pioneer in that branch of our local progress. Bartlett street, at the Mission, was named in his honor by the stockholders. He united with the Mechanics' Institute soon after it was organized, and was one of its directors for several terms. He was among the founders, and, for about fifteen years, a director and vice-president of the San Francisco Savings Union. He was a charter member and Past Grand of Parker Lodge, No. 124, I. O. O. F., and, for a dozen years or more, represented that body in the Grand Lodge of California, serving on the most important committees. He was one of the founders and the first President of the California Home for Feeble Minded Children, which has become a State institution, located near San Jose. It is hardly necessary to add that his membership in the Society of California Pioneers dates back to its early records.

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These are a few of his subsidiary claims to activity and energy in the promotion of the best interests of the community in which his lot was cast. From 1872 to 1876, and during the greater part of his senatorial term, he was in co-partnership with Daniel L. Randolph in the real estate business in San Francisco, but after 1876, with the reservations already alluded to, his whole time was employed for the good of the public. In 1879 he was one of the Board of Freeholders, which prepared a new charter for San Francisco that

was rejected at the polls, and no surviving member of that Board will dispute his profound knowledge of municipal affairs nor the thoroughness with which he performed all the labor that was allotted to him.

It was, however, in 1882, that he gained his first signal triumph before the people for the highest municipal office within their gift. He had been successful in former elections, and had never but once been defeated. This occasion, however, tried his mettle, because it was a party contest, in which his opponent was an able and incorruptible man of high standing and wide popularity. Maurice C. Blake was an able lawyer, who had succeeded at the bar, when, many years ago, he was elected County Judge, and afterwards successively Probate Judge, Judge of the Municipal Court, and Mayor. In these various positions his honesty and his capacity had become proverbial, so that it was regarded as impossible to beat him for any office for which he could be induced to run. In 1882 he was the incumbent of the office of Mayor, in which he had given complete satisfaction, and he was renominated by the Republicans. His nomination was generally regarded as equivalent to his election; and the Democrats were puzzled to find a head for their ticket who would insure them against an overwhelming defeat. At length the name of Washington Bartlett was suggested, and accepted with such acclamations as are not commonly heard even in a political convention. He conducted his party to a sweeping municipal victory. The writer cannot fail to recall the fact that, when the ratification meeting was held at Union hall, and during the entire canvass, Mr. Bartlet's chief anxiety was not so much that *he* might win, but that, if elected, he should be backed by a Board of Supervisors who would co-operate with him in municipal reforms. In 1884 he was renominated and re-elected over Captain W. L. Merry, the

head of the Republiean ticket; but, in this instance, it was his exceptional strength with the people that gained his success. His party was beaten, and the Board of Supervisors, with but one exception, the present Mayor of San Franeiseo, E B. Pond, consisted of his politieal opponents. His second term as Mayor was an almost eonstant struggle, in which his eqnanimity was sorely tried. But he never proved unequal to any emergency, and he never allowed his politieal opinions to interfere with his sense of right. He held pronounced and definite views upon the water question, upon the question of improving sidewalks, upon the proper duration of street railroad franchises, and upon the economical expenditure of publie money, and he was inflexible in his adherence to the pledges he had given upon these and other matters, in which his individual opinions had been expressed. August 24th, 1887, two days after the crisis of his illness was reached, he said: "I have always considered my office a sacred trust, given to me by the people, and that I must discharge my duty to them without regarding my own personal feelings." These earnest words, spoken in the midst of suffering and with the prospet of immediate death before him, are the keynote to his entire publie career. As Mayor of San Franeisco he systematically and carefully discharged all his duties, and while, so far as possible, he co-operated with the legislative department of the municipal government, he vigorously asserted the independence of the executive department, and interposed his veto to every order which, in his opinion, violated elementary principles. His messages, which are models of terse statement and clear reasoning, are to be found in the Municipal Reports for 1883-1884 and 1885-1886. It would be superfluous to make extracts from them, but to all succeeding generations in San Franeiseo, they will attest

his honor and his sagacity. He realized, what so many excellent citizens fail to comprehend, that, in matters of government, the least departure from a fixed rule creates a dangerous precedent, and that leaks in public treasuries frequently originate in very small punctures in charters or statutes. Consequently, he was rigid in his adherence to the law as he found it, and no apparent exigency could induce him to consent even to a temporary violation of a statute. He had aided in 1856 in the passage of the Consolidation Act, which, however imperfectly it may now be adapted to the conditions of a commercial metropolis, nevertheless had given a wholesome check to the rampant corruption which formerly disgraced the municipality, and by its explicit checks and guards had forced public officers to practice a certain degree of economy. He had been familiar with the numerous amendments and supplements which the legislature had framed in vain attempts to meet the wants of a community whose growth transcended all expectation, and at the same time maintain the strict rules prescribed in the charter itself. He was in no degree narrow or circumscribed in his ideas, and he was a friend to every really progressive measure, and fully recognized the expanding requirements of a large city. He had assisted, as already stated, in the construction of a new charter which the voters, who had experienced the benefits of a fortified treasury, had defeated. And, as Mayor of San Francisco, he unhesitatingly and boldly, but with wisdom and resolution, adhered to the ancient land-marks, which, in so many ways, had met with popular sanction. The statute known as the "One-Twelfth Act," had provided in substance that, except in case of public danger or some paramount necessity, not more than one-twelfth of the annual revenue should be appropriated in any one month. He unqualifiedly refused, in the face of his own polit-

ical friends, to endorse or to tolerate any evasion of the provisions of this Act, under any pretext or excuse, however plausible or however ingeniously argued. When the municipal funds temporarily failed, and a Democratic Board of Supervisors sought to meet the embarrassment, under the authority of a legislative enactment, by submitting to the people a proposal to issue bonds to the amount of half a million dollars, he vetoed the measure, and, through the co-operation of leading citizens, whose confidence in him was implicit, raised the money that was required from voluntary payments of delinquent taxes. He insisted that street railroad franchises should be limited to twenty-five years. He declined to approve orders which sought to impose unconstitutional burthens on property-owners. Both parties were pledged to the limit of one dollar on the hundred in taxation for municipal purposes. He held them to their pledges, and no persuasion or entreaty, no ironical or satirical allusions to the parsimonious manner in which the public affairs were administered, no efforts by greedy contractors or unoccupied demagogues, no pressure from any quarter, low or high, could induce him to abate one jot or tittle of his plighted word. He would submit to be called a Silurian, but he was determined to be an honest man. No more absurd charge could be made against him than that of indecision. He was slow in adopting conclusions, but firm as Andrew Jackson in enforcing them; and, with him, there was no need of discussion upon any issue, which merely called for ordinary integrity.

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Your Committee have before them, in his own handwriting, his remarks on personalities before the Board of Supervisors, when the dissension between the executive and legislative departments of the municipal government reached a point of exasperation on the

side of the Supervisors, which caused some of them for the moment to overlook the respect due to their President. It is a document worthy of preservation for all time. It is condensed to the last degree, but at the same time so true, so moderate, so appreciative of the rights of the body he addresses, and yet so resolute in its vindication of the substantial respect due to a co-ordinate branch of the municipal government, that it reads like a paper by Washington. Let this commendation be justified by two or three extracted sentences:

"The participation in personal altercations is exceedingly disagreeable to me. No one more fully appreciates the fact that the indulgence in personal disputes and controversies is unbecoming to my years, my character, and the position I hold by the suffrages of the people; and yet, if I am not supported in maintaining order, it ought not to be expected that I shall sit silent and hear my character assailed and my motives impugned at each meeting of the Board. I am here, not because it pleases me, but in the discharge of a duty imposed by law. I shall treat every member courteously, and endeavor to preside over your deliberations impartially, and I shall expect, and I have the right to expect, like courtesy and fairness from you. The important interests entrusted to our care are amply sufficient, if properly considered, to engross our attention, without wasting time on personal disputes and exhibitions of temper, which can only result in loss of public respect for ourselves and our determinations."

These were the right words, spoken at the right time and in the right place, and, while they had a more far-reaching effect upon the constituency of the Mayor and the Supervisors, they were decisive in checking the growth of a spirit which might otherwise have become so unruly as seriously to interfere with

the proper management of the public business. The course adopted by Mr. Bartlett was in exact correspondence with his character and a substantial proof of the soundness of his judgment. He would not break a pledge. He would not surrender one of the prerogatives which had been committed to him by his fellow-citizens. He would not consent to an elastic interpretation of the law even to tide over serious difficulties. He would not tolerate unjust and offensive imputations against himself. On the other hand, he would not descend to any exhibition of temper, or bandy words with vindictive opponents, endeavoring to coerce him into submission to their views. He took the high-minded, dignified, and unanswerable course of officially rising to a question of privilege, and, when he had finished his short address, his first and last serious quarrel in office was ended.

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It is, however, impracticable to enter further into the details of this branch of his official career. Comprehensively it may be said that his administration of the office of Mayor of San Francisco was an unqualified success, and that his fidelity to the people, his loyalty to truth and honor, and his manliness and self-control under severe pressure, attracted to him the attention and commanded the approbation of the best citizens of the State, both within and without his own party, and extended his reputation to distant sections of the Republic. In the middle of his second term he stood in very much the same relation to the solid elements of our population as that since occupied by Mayor Hewitt, of New York. He represented a policy and a course of official conduct, which, apart from all partisan issues, were wholly and strongly American — vigorous and uncompromising as related to individual and municipal rights, conservative as respected property

and all the elements of material, moral, and intellectual advancement, resolute in the maintenance of law, order and economy, and equally antagonistic to the aggressions of unscrupulous wealth and to the exotic criminality which misrepresents honest poverty and productive industry.

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It is not surprising that, supported by such a record, the name of Washington Bartlett became familiar to the people to a degree which, within the Democratic party, placed him at the head of the list of gentlemen mentioned for the office of Governor in 1886. To some ambitious men their party is necessary, but other men—and of these, Mr. Bartlett was one—are necessary to their party. His transition from the chief place in a great commercial metropolis to candidacy for the highest post in the State—for which a precedent existed in the case of Grover Cleveland—was not only natural, but inevitable. He was in sober fact nominated by the mass of Democrats who were represented by the State Democratic Convention long before that body itself was convened. For thirty years he had consistently advocated the exclusion of the Chinese from the American States and Territories; he was inflexibly opposed to the Heath Amendment to the Constitution, as it was termed, which was generally condemned by those interested in taxation, but which apparently anticipated a recent decision of the Supreme Court of the United States; and upon these and other questions, upon which there were virtually no issues between parties, he was unassailable. In every emergency which had arisen on the Pacific Coast, he had stood for property, honestly accumulated, and against Anarchy and Communism, while he had energetically vindicated oppressed labor in the chamber of the

Senate. He had co-operated with other functionaries in reducing municipal expenses in San Francisco by one hundred and fifty thousand dollars per year, and, in this and in other ways, already adverted to, he had established his capacity for finance. He had promoted efficiency and exacted strict responsibility in public officers. He had confronted and defeated various forms of monopoly, and had been sustained by the joined hands of both labor and capital. He had refrained from every unnecessary controversy, and still had avoided none that was essential to the public welfare. He had never broken a promise. He had found time to utilize the deep humanity of his nature in works of lasting beneficence. He had outlined most progressive measures for the elevation of citizenship through industrial education. In short, he had been true to God and man, and, without break or lapse, had uniformly exerted his faculties and improved his opportunities to the uttermost for the full performance of the work which, under Providence, had been assigned to him,—until, in his sixty-second year, distinctly visible to all eyes but his own, his character was elevated like a marble shaft above the common level of mankind.

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On September 2d, 1886, the Democratic State Convention assembled at Odd Fellows' Hall, in San Francisco, and there, in a building which he had helped to construct, and which was dedicated to the good of the human race, Washington Bartlett the next day received the Gubernatorial nomination. There was no lack of candidates of undoubted capacity and respectability, but his name "led all the rest." He was proposed in a speech of remarkable point and brilliancy, but the torrent of cheers with which his name was received almost quenched the eloquence of

the orator. As already suggested, his nomination was a foregone conclusion, and it attracted the cheerful support of his honorable competitors.

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On the stirring canvass of 1886, which lasted for two months, it would be indecorous to elaborate. The contest was close and to some extent bitter, and this is no suitable occasion to revive its acrimonious features. It is one of the distressing characteristics of party struggles that, both on the stump and in the press, they lead to personalities instead of the array of facts, to exaggeration or positive falsehood instead of moderate and truthful statement, and to coarse and truculent abuse instead of deliberate and weighty argument. This degradation of politics was conspicuously manifested in 1886, and the caricatures, the epithets, the denunciation and the misstatements of that year are not pleasant reading in 1888 to men of sound minds and of decent lives. It must be admitted, however, without disparaging other gentlemen on both sides who were equally conscientious, that, throughout the tempest, Washington Bartlett preserved his temper and his integrity both in form and in substance, and left no sting to rankle in the breasts of his opponents. He put forth all his strength and labored earnestly and disinterestedly for the success of the whole ticket he had been selected to lead, but his views and his opinions, whether intrinsically right or intrinsically wrong, were expressed with vigor and directness, it is true, but with that degree of calmness and of fairness which left no excuse for resentment. His inherent conscientiousness forced him, moreover, amidst the distractions of a doubtful battle, to discharge the duties and the obligations of the position he then held, and the double labor thus imposed upon him was greater than his physical con-

stitution was able to bear. He had always been systematically industrious, but averse to excitement and to extraordinary drains upon his faculties, and his habits were so fixed that he once facetiously urged, as an objection to matrimony in his own case, the danger at his age of constant breaks in his daily routine. He had also fallen into the error of most busy men by failing to counterbalance mental strain by bodily exercise. It is of him painfully true that the wreath of victory which was awarded to him on November 2d, 1886, bore the ominous symbols of immediate decay. He had undergone a mass of detailed work, which had almost crushed him beneath its weight. He had suffered from exposure, from changes of diet, from the jostle of travel, and from the unaccustomed exertion of addressing immense audiences in widely-separated parts of the State. At San Franciseo, at San Rafael, at Napa, at Saeramento, at Los Angeles, at San Bernardino, and at other places, he had delivered, before large masses of the people, terse, strong, frank vindications of his official life and expositions of the policy of his party and of his individual intentions. But the prolonged effort had been too much for him, and the certificate of his election was his death warrant.

There are many passages in his speeches which were not partisan, and but for the length to which this memorial has been unavoidably stretched, your Committee would be glad to bring them to the appreciative notice of the Society of California Pioneers. A single extract from his address of September 11th, 1886, must serve as an average specimen of the habit of his thought and the mode of his expression:

“ I believe in the rights of labor—in a fair price for an honest day’s work. I know that legislation can do comparatively little directly in adjusting the relative rights and duties of capital and labor, but a just ad-

ministration of the law, economy and wisdom on the part of the executive officers, can do much towards preventing irritating contests and in creating employment for those willing to work.

" You all remember the labor agitations of 1879, 1880, and 1881—how the street corners were crowded with idle men seeking employment—how all building and other enterprises were checked, and how capital fled the State.

" The causes which brought about this condition of affairs were extravagance in private life and in the administration of public affairs. We had to call a halt and to inaugurate reforms and practice economy. With the return to plain living and honest ways came peace and prosperity. Capital took fresh courage and became ashamed of its own cowardice. New enterprises were inaugurated, giving employment to numbers of men and women, thousands of new buildings were erected, and the sounds of hammer and plane were heard on almost every street.

" The labor agitation died a natural death. The mechanic, the laborer, and the artisan were too busy, too profitably occupied, for discontent and strikes."

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The interval between his election and his inauguration supplied no opportunity to Mr. Bartlett to recuperate his weakened system, but, on the contrary, he urged himself with whip and spur, in essential preparations for the assumption of the high office to which he had been elected, and in winding up his administration as Mayor of San Francisco, so that his successor, Mr. Pond, might take the position with a clean sheet. When he visited Sacramento with his brother, Colnmbns Bartlett, in advance of the meeting of the Legislature, to make arrangements for a residence there during his term, he attended an elaborate ban-

quet given in his honor, and it was observed then, that while he was gratified at his reception, and bore his usual conservative part in the festivities, he looked weak and eaeworn and ill-fitted for the protracted exactions of a legislative session.

On January 2d, 1887, he introduced his successor to the Board of Supervisors of San Francisco, and proved that his interest in the municipality had not ceased or even lessened, by delivering a valedictory address, which was carefully prepared and admirably worded and connected, and which embraced an extended review of his own administration, a comprehensive disscussion of the principal questions affecting the mnncipal interests, and recommendations of rare wisdom and sagacity, and closed with a touching tribute of gratitude to the people who had stood by him during his entire official career. "To me," he said, "San Francisco is something more than *my home*." \* \* \* "I have gloried in her triumphs, and been cast down by her defeats, and shared in all the vicissitudes, which have attended her wonderful growth. Her people are dear to me and her prosperity lies near to my heart, and it will afford me the most sincere happiness to contribute my best efforts, in whatever position placed, to advance her interests and benefit her citizens."

Four days later he was at Sacramento, prepared to take the oath of office and to define his policy as Governor of the State, but, owing to defects in some of the returns, the ceremony was deferred until Saturday, January 8th, 1887, which was the anniversary not only of the battle of New Orleans, but of his first inaugnration as Mayor of San Francisco. The scene at the State Capitol, when he was sworn in by Judge Armstrong, was brilliant and inspiring, and his inaugnral, which had been partly re-written on

account of the delay, amply justified his reputation and completely filled the public expectation. It was a condensed, plain, statesmanlike paper, in which he dealt with the practical questions with which, in his new station, it was his duty to grapple. "I assume the office," he stated, "invoking Divine assistance;" and then he proceeded in vigorous but balanced sentences, and with great candor and distinctness, to express his views of irrigation, of the Chinese, of harbor defenses, of the public finances and credit, of the militia, of the common schools, of corporations, of agricultural and mining industries; of all the important and pressing necessities of the State. He never deviated from the legitimate themes of such an occasion, and volunteered no lectures or advice to the diplomats of Europe or to the statesmen of America, but then, as everywhere else, manifested his precise knowledge and his sound judgment, by confining himself strictly within the appropriate limits.

And now, having traced him to the Executive Chamber, we catch but occasional glimpses of his person and find his waning life mainly exemplified by his self-abnegation and by his persistent endurance of the labor which hastened the catastrophe that attested his martyrdom to principle and enshrined him in the affections of his constituents and in the historical annals of his country. He appeared at the Inaugural Ball, which took place in Sacramento, January 17th, 1887, and maintained the dignity, to use the language of a graphic reporter, "of the faultless gentleman of the old school." He gave two or three receptions, when he was brought into personal contact with the leading men of the State. He was always accessible to Senators and Assemblymen, to committees, and to individuals who visited him on public business. But nevertheless, with a full consciousness of the danger he was

incurring, he deliberately sacrificed himself to the exigencies of his station. In conversation at Highland Springs, in the following June, when he was vainly seeking to recover the lost jewels of his health and strength, he disclosed his real feelings to an intimate friend in these noble words, which ought to be indelibly impressed upon the minds of the young men, who take a light or frivolous view of their obligations to society: "If I had known the work I had to do would kill me, I should have kept on just the same, for I could not shirk it. I think it has finished me." It had "finished" him. From the date of his induction into the Gubernatorial office until the tenth day after the adjournment of the Legislature, buried in papers and surrounded by books, he coerced himself into the performance of an incalculable amount of labor. He gave his personal attention to every department and almost to every detail of the Executive business, not even ignoring the pardoning power, which, except in extreme cases, he was reluctant to exercise. He carefully scrutinized the condition of the public treasury. He read nearly all of the two hundred and twenty bills which passed both Houses and came to him for examination, and he not only read but studied them. Of these measures he approved a hundred and ten or thereabouts, including the Act for the permanent support of the State University, the Act for the organization and government of irrigation districts, the Act to provide for the completion of the New City Hall at San Francisco, and various other important statutes, to be found in the volume published in 1887. He defeated much useless and pernicious legislation by the mere act of withholding his signature, and he vetoed the bill known as the Cohen Stamp Act, "An Act to protect the manufacturing interests of this State," because it was "too broad and too indefinite;" because it created public

offenses, of which knowledge or intent was not an ingredient; because it would have "materially increased the cost of our struggling industries;" and because it was "a restraint upon the liberty of the citizen in the use of his property," and did not "purport to conserve the health or the safety of the people." He also vetoed an Act passed to establish a permanent fund for the purchase of jute, to be manufactured at San Quentin, for the reasons, among others, which are conclusively argued in his message of March 8th, 1887, that the amount appropriated was "excessive and too indefinite," and that there was not "the usual or sufficient supervision over the expenditures of a portion of the fund." He also saved to the State treasury five hundred thousand dollars, which, but for him, would have been squandered in the payment of stale or fraudulent claims.

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But it is useless to multiply the evidences of Governor Barlett's intense and unselfish consecration to duty. His career, from its beginning, is replete with illustrations of this fundamental trait in his character, and while your Committee are not conscious of having indulged in useless repetitions in this Memorial, they are perfectly aware that justice to the memory of the late Executive can only be secured through the hand of the biographer. They have simply endeavored to touch, cursorily and rapidly, the salient points in a record which, for nearly thirty-eight years, was knit into the teeming history of the Pacific Coast, and, by suggestion, more than by amplification, to enable the people, and especially the Pioneers, to form some adequate conception of the true proportions of the man, of his actual relations to themselves, and of the reasons which justify, not merely the homage which has been already paid to his memory, but a more

enduring tribute in the hearts and in the minds of his countrymen through succeeding generations.

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The period between the adjournment of the Legislature of 1887 and the consummation of the life-work of Washington Bartlett has been already bridged in this Memorial, and the work of your Committee is now virtually closed. His remains were fitly deposited in Mountain View Cemetery, which overlooks the city of Oakland, and which, for picturesque beauty, is probably unexcelled in the world. There, amidst singing birds and exquisite flowers, fanned by soft airs which speak of peace and tenderness, they lie at rest, never more to be disturbed until humanity has achieved its destiny, and love, the immortal force of creation, receives its ultimate crown.

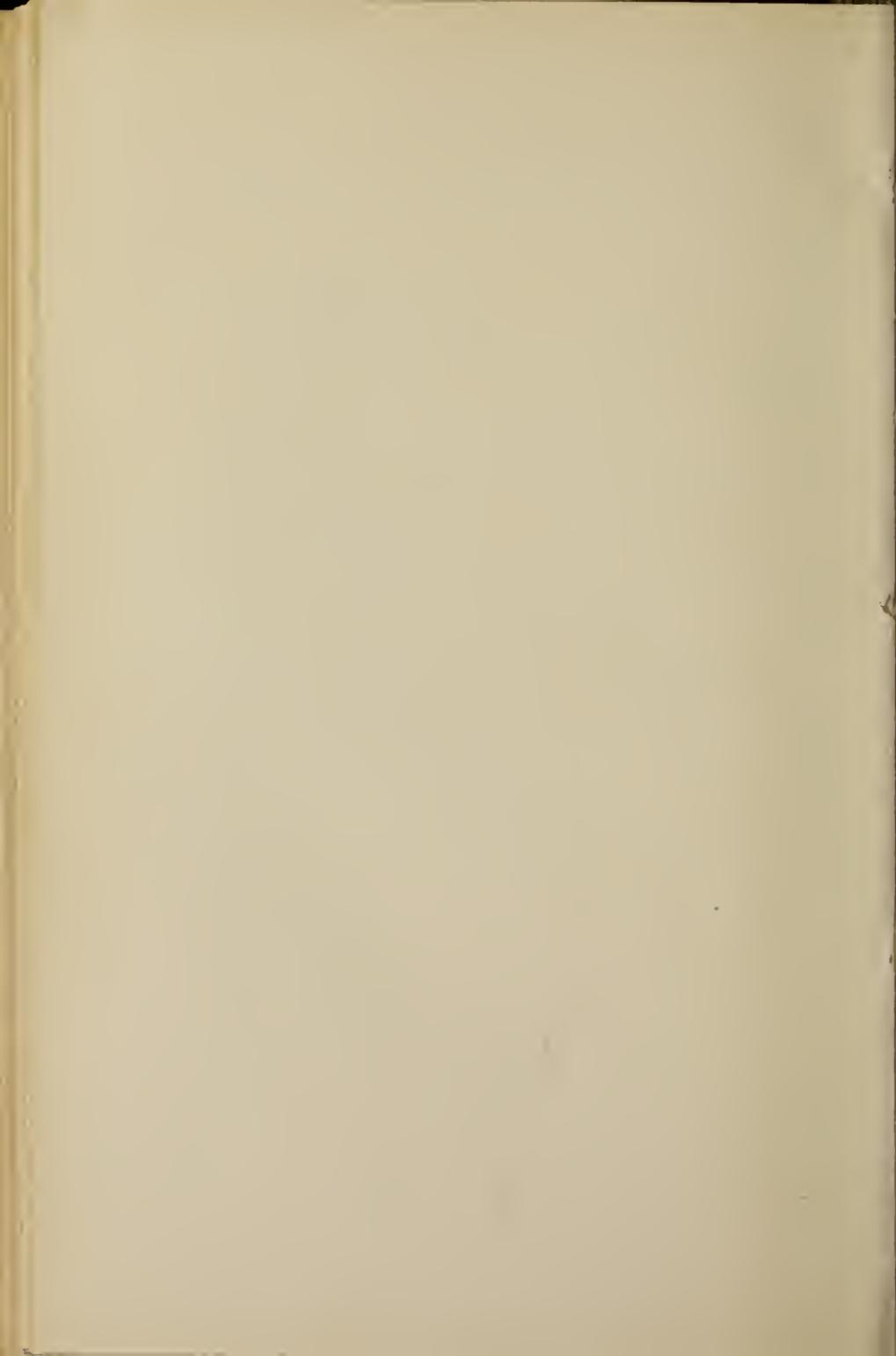
One by one the members of this Society, whose privileges were derived from individual participation in the task of laying the foundation and erecting the structure of this Commonwealth, are bravely and honorably vanishing from our gaze, and, while our eyes are dimmed with tears, our hearts glow with pride and gratitude as we see their monument in the State. "The path of glory leads but to the grave," but the labors of men are never lost but pass into indelible records. Therefore we yield our brethren up with chastened sadness, not unmixed with joy, and illuminated by faith and hope.

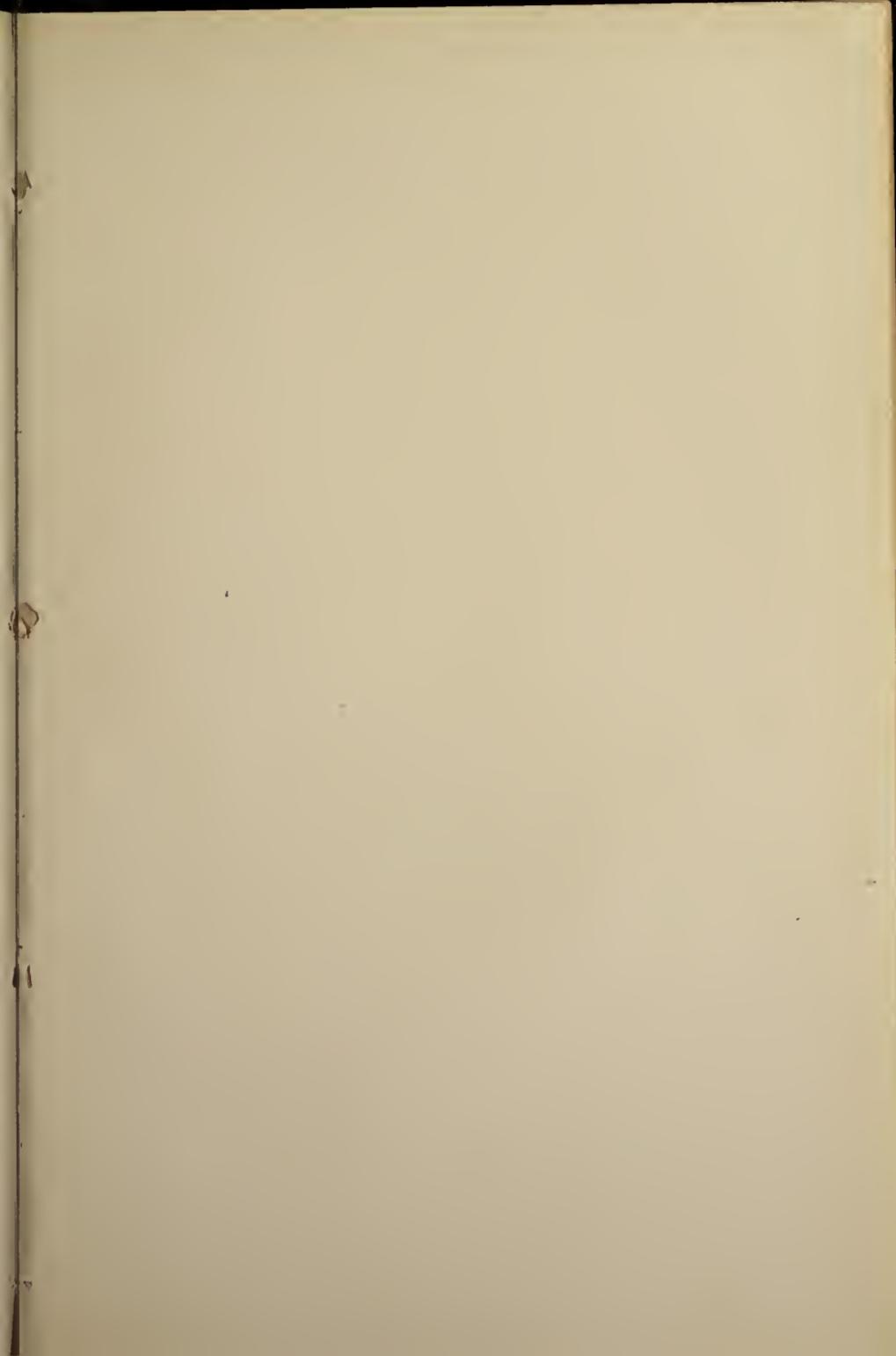
Here, in this temple, which marks the irresistible progress of our race, our language, and our institutions, year by year we see the Pioneers by birth succeeded by the Pioneers by inheritance, and soon, very soon, the roll will be called, and, of all the original Pioneers, but one will answer "Here." May that lone survivor be cheered and comforted in his supreme hour by the reflection that, among all those who pre-

ceded him to the land of shadows, there were none who failed to revere the name and to exemplify the character of WASHINGTON BARTLETT.

Dated May 7th, 1888.

HENRY E. HIGHTON,  
PHILIP A. ROACH,  
JOHN. S. HITTELL,  
Committee.





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